

AGENDA – REGULAR MEETING OF CITY COUNCIL – April 13, 2010

1. 7:00 p.m. roll call.
2. Invocation.
3. Pledge of allegiance.
4. Comments from the public, limited to five minutes, on matters not on the regular agenda.
5. Consent Agenda (any item placed on the consent agenda shall be removed and taken up as a separate matter, if so requested by any member of Council, otherwise all items will be voted on with one (1) motion).
 - a. Approval of minutes of the previous meeting and dispensing with reading of minutes.
 - b. Consider supplemental appropriation to the Public Works Department in the amount of \$75,000 – Second Reading.
 - c. Consider supplemental appropriation to the Parks & Recreation Department in the amount of \$2,200.00 – Second Reading.
 - d. Consider supplemental appropriation to the Public Works Department in the amount of \$330,000 – Second Reading.
6. Public Hearing – Consider a request from the Harrisonburg-Rockingham Community Services Board to rezone a 0.456 +/- acre parcel zoned B-2C, General Business District Conditional.
7. Public Hearing – Consider a request from Eastern Mennonite University to rezone 42.9 +/- acres of their property zoned R-3, Multiple Dwelling Residential District and I-1, Institutional Overlay District.
8. Public Hearing – Consider amending the Zoning Ordinance for corrections and updates within Sections 10-3-5, 16, 25, 48.3, 120, 122, & 123.
9. Consider supplemental appropriation to the school operating budget and the school nutrition budget.
10. Consider a street closing request from the Harrisonburg Education Foundation
11. Consider a street closing request from Rockingham Memorial Hospital
12. Consider a street closing request from Shenandoah Valley TEA Party
13. Consider a street closing request from Harrisonburg Farmers Market

14. Presentation and update for Technical Energy & Water Savings Audit
15. Consider appropriation of funds to the General and Water Capital Projects Funds
16. Other Matters:
 - a. Council and Staff
17. Boards and Commissions
 - a. Central Shenandoah Planning District Commission – Stacy Turner term will expire on June 30, 2010.
 - b. Central Shenandoah Planning District Commission – Richard Baugh term will expire on June 30, 2010.
 - c. Central Shenandoah Planning District Commission – Carolyn Frank term will expire on June 30, 2010.
 - d. Industrial Development Authority – Jennifer Carpenter-Stovall unexpired term will expire on April 24, 2010.
 - e. Community Services (Chapter 10) Board - Denise A. Whitman second term will expire on July 1, 2010.
 - f. Social Services Advisory Board – Anne Elizabeth Leake Frazier term will expire on July 1, 2010.

REGULAR MEETING

March 23, 2010

DRAFT

At a regular meeting held this evening at 7:00 p.m., there were present: Mayor Kai Degner; City Manager Kurt Hodgen; Assistant City Manager Evan Vass; City Attorney Earl Q. Thumma, Jr.; Vice-Mayor Richard A. Baugh; Council Members David Wiens, Carolyn W. Frank and Ted Byrd; City Clerk Yvonne "Bonnie" Ryan, MMC; and Chief of Police Donald Harper.

Council Member Frank gave the invocation, and Mayor Degner led everyone in the Pledge of Allegiance.

Bruce Richardson representing the Shenandoah Tea Party requested closing the South side of Court Square for an event being held on the Court House lawn on April 15th.

Bucky Berry requested that some of the CDBG funds be used to replace deteriorating sidewalks on West Washington Street.

Daniel Chavez spoke in support of the Spay/Neuter Clinic proposal for a new animal shelter. He thanked City Council for supporting the mediation process.

Mayor Degner said that the City of Harrisonburg, the SPCA, the Spay/Neuter Clinic and the Citizens for Animal Welfare have agreed to participate in a mediation meeting, which is a completely voluntary process. The participating groups will be sharing the cost. Rockingham County will discuss the issue at their March 24th meeting.

Asimo Ricardo said that Chicago Avenue has a terrible water drainage problem and questioned whether the City had any funding to make improvements.

Council Member Byrd offered a motion to approve the consent agenda, including approval of the minutes and the second reading of a supplemental appropriation for the Police Department, amending Section 10-3-92 and 10-3-98 of the Zoning Ordinance, and amending Section 6-2-32(b) of the City Code. The motion also included a rezoning request from Karen Flagle. The motion was seconded by Council Member Wiens and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Baugh
Council Member Frank
Council Member Wiens
Council Member Byrd
Mayor Degner

Absent – None

Ande Banks, Director of Special Projects and Grants Management, presented an overview of the 2010-2011 Community Development Block Grant (CDBG) Review/Selection

Committee recommendations. The 2011 Annual Action Plan for the CDBG program serves as the planning document for addressing overall community development and housing needs that will utilize the estimated \$546,091 entitlement of CDBG funding available to the City for 2010. The City received \$914,509.00 in requests. Mr. Banks said that each locality in the entitlement program for HUD is allowed to structure its CDBG program. Funding recommended for various City projects include HRHA Harrison Heights renovations (\$140,000), VAIL–Home Accessibility Modifications (\$10,000.00), Mercy House – Safe-T-Element (\$4,500.00), City East Wolfe Street sanitary sewer rehabilitation (\$59,513.00), Pleasant Hill Road shoulder reconstruction/construction (\$120,000.00), West Bruce Street sidewalk (\$27,000.00), Westover Park parking lot security camera system (\$16,000.00), Gilkerson Activity Center/Westover Pool Security Camera System (\$9,132.00), Camp Still Meadows – bathroom and office (\$8,000.00), The ARC door replacement (\$10,000.00), and administration cost (\$110,000.00). Public Services include Big Brothers/Big Sisters (\$7,200.00), Valley Program for Aging Services (\$10,000.00), New Bridges: Immigrant’s Academy (\$8,655.00), and IIHHS, JMU: Open doors to Health and Hope for the Homeless (\$10,000.00). Staff will prepare formal documents for HUD and after a 30-day public comment period, staff will request final approval from City Council.

At 7:29 p.m., Mayor Degner closed the regular session temporarily and called the evening’s first public hearing to order. The following notice appeared in the Daily News-Record on Tuesday, March 16, 2010.

**CITY OF HARRISONBURG
2010-2011 ACTION PLAN AND
AMENDMENTS TO THE 2008-2009 ACTION PLAN
PUBLIC HEARINGS/COMMENT NOTICE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

The City of Harrisonburg will hold public hearings on Tuesday, March 23, 2010, at 7:00 PM in the City Council Chambers, 409 South Main Street, in order to receive citizen input regarding the 2010-2011 Action Plan and Amendments to the 2008-2009 Action Plan for the Community Development Block Grant (CDBG) Program. Citizen participation is essential to the City’s involvement in the Federal Department of Housing & Urban Development’s (HUD) CDBG Program. The Action Plan serves as the planning document for addressing overall community development and housing needs that will utilize the estimated \$546,091 entitlement of CDBG funding available to the City for 2010-2011. Projects selected to receive this funding will be included in the Action Plan. The Amendments to also be considered at the Public Hearings are as follows:

- \$18,973 that remains in funding from the 2008-2009 Public Utilities Green and Gay Street Sanitary Sewer Rehabilitation Project will be moved to the NEW 2008-2009 Parks and Recreation Cecil F. Gilkerson Handicapped Accessible Entryway project.
- \$12,075 that remains in funding from the 2008-2009 Public Utilities Green and Gay Street Sanitary Sewer Rehab project will be moved to the NEW 2008-2009 Public Utilities Green St. Sanitary Sewer Rehabilitation Project: Phase 2.

All citizens and organizations are invited to attend the public hearing to comment orally or in writing regarding funding priorities for the 2010-2011 Action Plan and 2008-2009 amendment. The City of Harrisonburg will make reasonable accommodations and services necessary for sensory-impaired and disabled citizens at the public meeting. Additionally, translation services may be offered upon request and availability. Persons requiring such accommodations/services should contact Ande Banks at (540) 432-8923 at least three working days in advance of the meeting.

Copies of the Action Plan and the Amendment are available at the City Manager's Office, 345 South Main Street, Harrisonburg between 8:00 AM and 5:00 PM, Monday through Friday, and at the reference desk at the Massanutten Regional Library for a 30 day public comment and review period which begins March 23, 2010. The Action Plan and Amendment Document will also be posted on the City website at www.ci.harrisonburg.va.us on this date. Written comments may be mailed to Kristin E. McCombe, grants Compliance Officer, Office of City Manager, 345 South Main Street, Harrisonburg, VA 22801. Comments may also be submitted by calling (540) 432-8926 or emailing CDBG@ci.harrisonburg.va.us. Comments are welcomed prior to the start of the review period, but all comments should be received no later than 5:00pm on April 23, 2010, to be considered.

Mayor Degner called on anyone desiring to speak for or against these recommendations for the CDBG program.

Kathy Galvin representing Valley Program for Aging Services thanked City Council and staff for the CDBG support of the "Meals on Wheels" program.

Bucky Berry said the Child Safety Seat Program and the Salvation Army should have been included in the proposed CDBG funding.

John Schrag representing Our Community Place questioned why their project didn't receive any funding. Were there too many projects competing for limited funding or was it because HUD has determined that our project did not meet the guidelines? There being no others desiring to be heard, the public hearing was declared closed at 7:34 p.m., and the regular session reconvened.

Ande Banks, Director of Special Projects and Grants Management, presented an overview of the 2008/2009 CDBG Amendments. Staff proposes that unused funds in the amount of \$31,048 be moved from 2008/2009 Public Utilities Green/Gay Street Sewer Rehabilitation Project to two new projects. These projects include \$18,973 for the installation of handicapped accessible doors at the Cecil F. Gilkerson Activities Center and \$12,075 for the Green Street Sanitary Sewer Rehabilitation Project (Phase two). This is also the beginning of the 30 day public comments period. Although amendments are submitted to HUD following Council approval, formal HUD approval is not required.

At 7:38 p.m., Mayor Degner closed the regular session temporarily and called the evening's second public hearing to order. The following notice appeared in the Daily News-Record on Tuesday, March 16, 2010.

CITY OF HARRISONBURG

**2010-2011 ACTION PLAN AND
AMENDMENTS TO THE 2008-2009 ACTION PLAN
PUBLIC HEARINGS/COMMENT NOTICE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

The City of Harrisonburg will hold public hearings on Tuesday, March 23, 2010, at 7:00 PM in the City Council Chambers, 409 South Main Street, in order to receive citizen input regarding the 2010-2011 Action Plan and Amendments to the 2008-2009 Action Plan for the Community Development Block Grant (CDBG) Program. Citizen participation is essential to the City's involvement in the Federal Department of Housing & Urban Development's (HUD) CDBG Program. The Action Plan serves as the planning document for addressing overall community development and housing needs that will utilize the estimated \$546,091 entitlement of CDBG funding available to the City for 2010-2011. Projects selected to receive this funding will be included in the Action Plan. The Amendments to also be considered at the Public Hearings are as follows:

- \$18,973 that remains in funding from the 2008-2009 Public Utilities Green and Gay Street Sanitary Sewer Rehabilitation Project will be moved to the NEW 2008-2009 Parks and Recreation Cecil F. Gilkerson Handicapped Accessible Entryway project.
- \$12,075 that remains in funding from the 2008-2009 Public Utilities Green and Gay Street Sanitary Sewer Rehab project will be moved to the NEW 2008-2009 Public Utilities Green St. Sanitary Sewer Rehabilitation Project: Phase 2.

All citizens and organizations are invited to attend the public hearing to comment orally or in writing regarding funding priorities for the 2010-2011 Action Plan and 2008-2009 amendment. The City of Harrisonburg will make reasonable accommodations and services necessary for sensory-impaired and disabled citizens at the public meeting. Additionally, translation services may be offered upon request and availability. Persons requiring such accommodations/services should contact Ande Banks at (540) 432-8923 at least three working days in advance of the meeting.

Copies of the Action Plan and the Amendment are available at the City Manager's Office, 345 South Main Street, Harrisonburg between 8:00 AM and 5:00 PM, Monday through Friday, and at the reference desk at the Massanutten Regional Library for a 30 day public comment and review period which begins March 23, 2010. The Action Plan and Amendment Document will also be posted on the City website at www.ci.harrisonburg.va.us on this date. Written comments may be mailed to Kristin E. McCombe, grants Compliance Officer, Office of City Manager, 345 South Main Street, Harrisonburg, VA 22801. Comments may also be submitted by calling (540) 432-8926 or emailing CDBG@ci.harrisonburg.va.us. Comments are welcomed prior to the start of the review period, but all comments should be received no later than 5:00pm on April 23, 2010, to be considered.

Mayor Degner called on anyone desiring to speak for or against these recommendations for the 2008/2009 CDBG amendments. There being no one desiring to be heard, the public hearing was declared closed at 7:39 p.m., and the regular session reconvened.

Dr. Donald Ford, Superintendent of Harrisonburg City Schools, presented the School Board's proposed 2010-2011 budget. State revenues are based on the General Assembly's adopted budget (with some adjustments and estimations). The budget is based on projected daily membership of 4,317 in 2010-2011. For two years there has been a substantial reduction in the school's operating budget. FY 2011 will include a reduction in health insurance premium costs to HCPS and employees, but no reduction in health insurance benefits. There is no salary or step adjustment increase for staff. The proposed budget will not eliminate positions or programs other than a proposal to eliminate the 2011 elementary summer school program. Dr. Ford reviewed expenditures, expenditure reductions, expenditures increases, and revenues. Dr. Ford noted a reduction of \$396,000 in utility costs attributed to various conservation measures. Dr. Ford also reviewed the 2010-2011 school nutrition budget and said food service workers will receive a 2% salary increase because they are the lowest paid employees in the school system.

The next item of business was a presentation on the Davis, California trip made by Mayor Kai Degner, Planning Commissioner Muawai Da'Mes, Public Works Planner Thanh Dang, Shenandoah Valley Bicycle Coalition Thomas Jenkins, New Community Project Tom Benevento, New Community Project Lara Mack, and Documentary Film Maker/Eastern Mennonite University Paulette Moore on March 3 through March 8 to study their bicycle infrastructure and culture. The delegation also traveled to San Francisco and Sacramento, California. The trip was completely funded by donations. No taxpayer's money was used to fund the trip.

Thanh Dang said that each person would be doing a quick reflection on the trip. The group was hosted by Davis, CA, which has a population of 64,000 people, 10 square miles, a prominent University on the border of the City, one interstate, and one freeway. Davis has been planning for bicycles since 1960. The neighborhoods are planned around green belts, which are networks of shared used paths running behind neighborhoods in a park like area.

Thomas Jenkins said there is an connectivity of neighborhoods to green spaces. Hopefully some of these ideas can be brought to Harrisonburg by utilizing paper streets and our green spaces. Streets have safe spots whether walking or biking and concrete structures, which is a good example of traffic calming. The majority of children in Davis ride bicycles to school. Davis has a variety of underpasses, tunnels, bridges, etc., that accommodate bicycles and pedestrians with and without vehicular traffic.

Muawai Da'Mes said the trip to Davis was a quite an experience especially since he is not a biker. The university campus is closed to vehicular traffic because the school is actually a no motor vehicle university. There are 10,000 students who ride their bicycles to and from classes in 15 minutes. The school system is similar to Harrisonburg; however, there are no yellow buses. Crime rates on bike routes do not exist.

Tom Benevento said bicycles can build communities and provide a higher quality of life. Bicyclists are cost effective and pay their share of the road. Many people believe that walking and cycling have a inferior right to use public roads compared with motor vehicles. This reflects the belief that motor vehicles are more important to society than non-motorized transportation.

Road are funded by motorists. Many people assume that pedestrians and cyclists contribute less than their fair share toward roadway costs because they do pay vehicle users fees.

Lara Mack said the bicycle has been a resource and positive instrument of transport for many years in Davis, CA. The group met with professors, teachers, parents, college students, children, police officers, small business owners, and City staff to learn more about how the bicycle is a unique resource in Davis.

Mayor Kai Degner thanked the Davis community for their hospitality and the many ideas that were shared. Upon arriving in Davis, the group took a 15 mile tour traveling through most neighborhoods, past every school, past the police department, downtown restaurants, and industrial areas. There is a certain value of having bicycles infrastructure that can only be reached with a significant amount of interconnectivity between different types of places, people, and things going on in the community.

Mayor Degner presented the following resolution for Council's consideration of approval:

**RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY
BY THE HARRISONBURG REDEVELOPMENT AND HOUSING AUTHORITY**

WHEREAS, the Harrisonburg Redevelopment and Housing Authority (the "Authority") has decided to purchase certain real property improved by a single family dwelling from Lewis G. Bagwell and George E. Shifflett, which property is located at 715 North Main Street in the City of Harrisonburg (hereinafter "the Property"); and,

WHEREAS, the Authority intends to hold the Property pursuant to its mission of providing safe and sanitary dwellings to persons of low income, as set forth in the Housing Authorities Law, Chapter 1, Title 36 of the Virginia Code; and,

WHEREAS, Code of Virginia Section 36-19.2 requires that the Authority obtain the approval of the City of Harrisonburg (the "City") prior to purchasing the Property as it is the current intention of the Authority to use such Property for housing purposes; and,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Harrisonburg, Virginia, that:

1. The City approves the foregoing recitals, which are incorporated in, and deemed a part of, this Resolution as if fully set forth herein.

2. The City authorizes and approves the purchase of the Property by the Authority and the Authority's utilization of such Property as a housing project or for such other uses as the Authority shall deem appropriate and which is permitted by law.

3. This authorization and approval applies only to the Authority's obligation to obtain City approval pursuant to Code of Virginia Section 36-19.2 and does not constitute a

waiver of any City ordinance with respect to the Property, including but not limited to compliance with City zoning and building codes.

This resolution shall take effect immediately upon its adoption.

READ AND ADOPTED: March 23, 2010

CERTIFICATE

Record of the roll-call vote by the City Council of the City of Harrisonburg, Virginia, upon reading on a resolution titled "RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY BY THE HARRISONBURG REDEVELOPMENT AND HOUSING AUTHORITY" taken at a regular meeting of the City Council held on March 23, 2010:

	AYE	NAY	ABSTAIN	ABSENT
Kai Degner, Mayor	X			
Richard Baugh, Vice-Mayor	X			
David Wiens	X			
Ted Byrd	X			
Carolyn W. Frank	X			

Dated: March 23, 2010

(SEAL)

Mayor, City of Harrisonburg, Virginia

ATTEST:

*Clerk, City Council of the City of
Harrisonburg, Virginia*

Michael Wong, Executive Director of the Harrisonburg Redevelopment and Housing Authority, said the Harrisonburg Redevelopment and Housing Authority (HRHA) have decided to purchase property located at 715 North Main Street. HRHA will partner with Our Community Place in developing the facility to providing safe and sanitary dwellings to persons of low income. Council Member Wiens offered a motion to approve the resolution authorizing the purchase of 715 North Main Street. The motion also included the second reading of a rezoning request at 715 North Main Street from R-2 to M-1C, and special use permits for reduced parking, charitable and benevolent, and boarding and rooming house at 715 North Main Street. The motion was seconded by Council Member Frank and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Baugh
Council Member Frank
Council Member Wiens
Council Member Byrd

Mayor Degner

Absent – None

Alexis Morehouse, Promotions Manager of HDR, reviewed a new tourism guide and slogan, promotional programs, and downtown events. Also, the “Taste of Downtown” event was an amazing success because it was expanded from a three to seven day event this year.

Kris Ludwig, Special Events Manager of HDR, reviewed upcoming events including MACRock on April 3rd, Museum and Galley Walk on April 2nd, Spring Loft Tour on April 11th, Renaissance Night on May 15th, Fridays on the Square starting on June 4th, Court and Market Days on June 5th, Bike Virginia concert event on June 28th, and Valley 4th on July 3rd.

Council Member Byrd offered a motion to close Park Road from Mount Clinton Pike to Parkwood Drive from 12:45 p.m. until 3:00 p.m., on May 2nd for commencement exercises at Eastern Mennonite University. The motion was seconded by Council Member Wiens and approved with a unanimous voice vote.

Mayor Degner presented the following resolution for Council’s consideration of approval:

**A RESOLUTION ENDING THE LOCAL EMERGENCY DECLARATION
IN THE CITY OF HARRISONBURG**

WHEREAS, on February 9, 2010, the City Council of the City of Harrisonburg declared a local emergency due to the occurrence of significant snowfalls and other dangerous conditions that had the potential to adversely affect the lives, property and safety of the residents of Harrisonburg; and

WHEREAS, in accordance with the provisions of Section 44-146.21 of the Code of Virginia, the City Council is required to take action to end the declared emergency;

NOW, THEREFORE, BE IT RESOLVED by the Harrisonburg City Council that the “Declaration of a Local Emergency” is hereby ended, affective immediately.

Adopted this 23rd day of March, 2010.

**BY: _____
Kai Degner, Mayor**

**ATTEST: _____
Yvonne H. Ryan, MMC, City Clerk**

Vice-Mayor Baugh offered a motion to adopt the resolution as presented. The motion was seconded by Council Member Wiens and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Baugh
Council Member Frank
Council Member Wiens
Council Member Byrd
Mayor Degner

Absent – None

City Manager Hodgen presented a transfer request for the Public Works Department. These funds will be used to establish a new capital project account “West Market Street Railroad Crossing Upgrade” and to reallocate the current funds remaining in the old “Water Street Pedestrian Bridge” to the railroad crossing project. Council Member Byrd offered a motion to approve transferring these funds, and that:

\$192,614.88 chge. to: 1000-910141-48715 Water Street Pedestrian Bridge

\$192,614.88 approp. to: 1000-910141-48725 W. Water St. Railroad Crossing upgrade

The motion was seconded by Council Member Frank and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Baugh
Council Member Frank
Council Member Wiens
Council Member Byrd
Mayor Degner

Absent – None

City Manager Hodgen presented a request for a supplemental appropriation for the Public Works Department. This request is to provide funds for the required 10% match to the railroad crossing upgrade at West Market Street. Additionally, funding is provided for pedestrian facilities and lighting in the crossing area. Council Member Byrd offered a motion to approve this request for a first reading, and that:

\$75,000.00 chge. to: 1000-31010 Amount from Fund Balance

75,000.00 chge. to: 1310-34210 Transfer from General Fund

\$75,000.00 approp. to: 1000-990111-49216 Transfer to Capital Projects Fund

75,000.00 approp. to: 1310-910141-48725 W. Market Street Rail Crossing Upgrade

The motion was seconded by Vice-Mayor Baugh and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Baugh
Council Member Frank
Council Member Wiens
Council Member Byrd
Mayor Degner

Absent – None

City Manager Hodgen presented a request for a supplemental appropriation for the Public Works Department. This request is to cover expenses related to snow and ice removal that were incurred during the current fiscal year. Vice-Mayor Baugh offered a motion to approve this request for a first reading, and that:

\$269,000.00 chge. to: 1000-31010 Amount from fund balance
61,000.00 chge. to: 1000-34280 Transfer from CDGB Fund

\$ 12,426.00 approp. to: 1117-33201 Community Development Block Grant
48,574.00 approp. to: 1117-810721-45676 CDBG Projects & programs

\$ 2,000.00 approp. to: 1000-410541-41010 Salaries and wages-regular
120,000.00 approp. to: 1000-410541-41020 Salaries and wages-overtime
9,000.00 approp. to: 1000-410541-42010 FICA
42,000.00 approp. to: 1000-410541-43320 Service contracts
5,000.00 approp. to: 1000-410541-43330 Maintenance & repairs-machinery & equip
20,000.00 approp. to: 1000-410541-44302 CS-Power Equipment supplies
6,000.00 approp. to: 1000-410541-44310 CG-Fuel
116,000.00 approp. to: 1000-410541-46070 Repair and maintenance supplies
10,000.00 approp. to: 1000-410541-46140 Other operating supplies
61,000.00 approp. to: 1117-810721-49210 Transfer to General Fund

The motion was seconded by Council Member Wiens and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Baugh
Council Member Frank
Council Member Wiens
Council Member Byrd
Mayor Degner

Absent – None

City Manager Hodgen presented a request for a supplemental appropriation for the Parks and Recreation Department. This request is to reimburse the Blacks Run Greenway budget for expenses incurred from the planting of 22 trees around the pond at Purcell Park to improve the

water quality of the pond and provide improved habitat for pond aquatic life. The cost of the tree planting has been reimbursed to the City from a Conservation/Natural Resources Grant through the Virginia Department of Conservation and Recreation. Council Member Byrd offered a motion to approve this request for a first reading, and that:

\$2,200.00 chge. to: 1000-32508 Conservation/Natural Resources Grant

\$2,200.00 approp. to: 1000-710971-46140 Other Operating Supplies

The motion was seconded by Council Member Frank and approved with a recorded roll call vote taken as follows:

Vote: Yes - Vice-Mayor Baugh
Council Member Frank
Council Member Wiens
Council Member Byrd
Mayor Degner

Absent -- None

Council agreed to sign a letter to Governor Robert F. McDonnell supporting Rockingham County's request to amend the state budget to fulfill the Commonwealth's commitment to a SRI Shenandoah Valley project. The General Assembly has removed \$2 million from the introduced budget and indicated that the remaining payment would not be made until 2013.

At 9:14 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR

cc: City Council
City Manager
Public Library

AGENDA ITEM ACTION REQUEST

	Meeting Date: April 13, 2010 Meeting Type: Regular <u>X</u> Special <u> </u>
Requestor: <u> </u> Manager <u> </u> City Attorney <u> X </u> Department <u> </u> Other: Public Works	Item: Consider supplemental appropriation to the Public Works Department - \$75,000 – Second Reading.
Reviewed: <u> X </u> Manager <u> </u> City Attorney <u> X </u> Department <u> </u> Other Public Works	Review: This request is to provide funds for the required 10% match to the railroad crossing upgrade. Additionally, funding is provided for pedestrian facilities and lighting in the crossing area. This project is a railroad crossing safety enhancement and was approved as part of the Rosetta Stone expansion.
Recommend: YES: <u> X </u> NO: <u> </u> <u> X </u> Manager <u> </u> City Attorney <u> X </u> Department <u> </u> Other Public Works	
April 13.556	Attachments: 1. Supplemental Appropriation Form

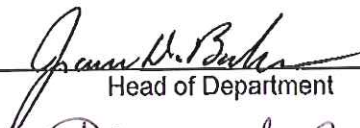
CITY OF HARRISONBURG, VIRGINIA
REQUEST FOR: SUPPLEMENTAL APPROPRIATION
For Fiscal Year Ended June 30, 2010

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	31010	Amount from Fund Balance	75,000.00
1310	34210	Transfer from General Fund	75,000.00

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	990111-49216	Transfer to Capital Projects Fund	75,000.00
1310	910141-48725	W. Market Street Rail Crossing Upgrade	75,000.00

Reason: To transfer funds reserved by City Council in fiscal year 2009 to the West Market Street Railroad Crossing Upgrade capital project code. These funds are currently reserved in the General Fund in code 1000-22534.

Requested by:


 Head of Department

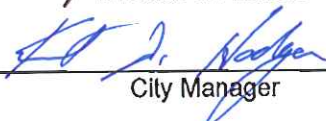
3/15/10
 Date

Funds Available:


 Director of Finance

3/15/10
 Date

Recommended & Approved:


 City Manager

3/15/10
 Date

City Council Approval:

3-23-10
 (1st reading)

City Council Approval:

(2nd reading)

FINANCE DEPARTMENT'S POSTING

NAME	DATE	JV #
------	------	------

AGENDA ITEM # 5c**AGENDA ITEM ACTION REQUEST**

	Meeting Date: April 13, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other HRHA	Item: Consider supplemental appropriation for the Parks & Recreation Department in the amount of \$2,200.00 – Second Reading.
Reviewed: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other Parks & rec.	Review: This request is to reimburse the Blacks Run Greenway budget for expenses incurred from the planting of 22 trees around the pond at Purcell Park to improve the water quality of the pond and provide improved habitat for pond aquatic life. The cost of the tree planting has been reimbursed to the City from a Conservation/Natural Resources Grant through the Virginia Department of Conservation and Recreation.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	
April 13.233	Attachments: 1. Supplemental Appropriation form.

CITY OF HARRISONBURG, VIRGINIA
REQUEST FOR: SUPPLEMENTAL APPROPRIATIONS
For Fiscal Year Ending June 30, 2010

From:

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	32508	Conservation/Natural Resources Grant	\$2,200.00
Total			<u>\$2,200.00</u>

To:

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	710971-46140	Other Operating Supplies	\$2,200.00
Total			<u>\$2,200.00</u>

Reason: To cover budget live account overage

Requested by : _____
Head of Department Date

Funds Available : *Jester O Seal* _____
Director of Finance 3/8/10
Date

Recommended & Approved : *For D. Nodgen* _____
City Manager 3/9/10
Date

City Council Approval: 3-23-10
(1st reading)

City Council Approval: _____
(2nd reading)

FINANCE DEPARTMENT'S POSTING _____
NAME DATE JV #

AGENDA ITEM # 5d**AGENDA ITEM ACTION REQUEST**

	Meeting Date: April 13, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other Public Works	Item: Consider supplemental appropriation to the Public Works Department in the amount of \$330,000 – Second Reading.
Reviewed: <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other Public Works	Review: This request is to cover expenses related to snow and ice removal that were incurred during the current fiscal year.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other Public Works	
April13.666	Attachments: 1. Supplemental Appropriation form.

CITY OF HARRISONBURG, VIRGINIA
REQUEST FOR: SUPPLEMENTAL APPROPRIATIONS
For Fiscal Year Ended June 30, 2010

From:

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	31010	Amount from fund balance	269,000.00
1000	34280	Transfer from CDBG Fund	61,000.00
		Sub Total	330,000.00
1117	33201	Community Development Block Grant	12,426.00
1117	810721-45676	CDBG Projects and programs	48,574.00
		Sub Total	61,000.00
		Total	391,000.00

To:

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1000	410541-41010	Salaries and wages- Regular	2,000.00
1000	410541-41020	Salaries and wages- Overtime	120,000.00
1000	410541-42010	FICA	9,000.00
1000	410541-43320	Service contracts	42,000.00
1000	410541-43330	Maintenance & repairs- Machinery & equip	5,000.00
1000	410541-44302	CS - Power Equipment supplies	20,000.00
1000	410541-44310	CG - Fuel	6,000.00
1000	410541-46070	Repair and maintenance supplies	116,000.00
1000	410541-46140	Other operating supplies	10,000.00
		Sub Total	330,000.00
1117	810721-49210	Transfer to General Fund	61,000.00
		Total	391,000.00

Reason: This supplemental appropriation is needed to fund a projected deficit in the snow and ice removal budget. 61,000 is being funded by the CDBG Fund and the remaining expenditures will be funded by the General Fund.

Requested by :

Head of Department

Date

Funds Available :

Director of Finance

Date

Recommended & Approved :

City Manager

Date

City Council Approval:

3-23-10
(1st reading)

City Council Approval:

(2nd reading)

FINANCE DEPARTMENT'S POSTING

NAME

DATE

JV #

AGENDA ITEM # 6

AGENDA ITEM ACTION REQUEST

	Meeting Date: April 13, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Item: Public Hearing - Consider a request from the Harrisonburg-Rockingham Community Services Board to rezone a 0.456 +/- acre parcel zoned B-2C, General Business District Conditional.
Reviewed: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Review: Planning Commission recommended approval (5-0) of the rezoning request for property located on tax map parcel 42-B-4. CSB will be amending their proffers on property located at 1351 North Main Street.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	
April 13.11	Attachments: 1. Public Hearing notice. 2. Planning Commission extracts and other supporting documents.



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

409 South Main Street

Harrisonburg, Virginia 22801

Website: <http://www.harrisonburgcommdev.com/>

Telephone: (540) 432-7700 Fax: (540) 432-7777

April 5, 2010

TO THE MEMBERS OF CITY COUNCIL

CITY OF HARRISONBURG, VIRGINIA

SUBJECT: Public hearing to consider a request from the Harrisonburg-Rockingham Community Services Board to rezone a 0.456 +/- acre parcel zoned B-2C, General Business District Conditional by amending their proffers. The parcel is located at 1351 North Main Street and can be found on tax map 42-B-4.

EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING HELD ON: March 10, 2010.

Mr. Fletcher said the Comprehensive Plan designates this area as Public / Semi-Public. This designation includes both existing and proposed public and semi-public use. They include lands owned or leased by the Commonwealth of Virginia (except for institutions of higher learning), the federal government, the City of Harrisonburg, and other governmental organizations.

The following land uses are located on and adjacent to the property:

- Site: Two-story structure, used as office space, zoned B-2C
- North: Dwelling unit, zoned R-2
- East: Across North Main Street, non-conforming dwelling unit, zoned M-1 and the Blakely Court townhouse community (under construction), zoned R-4
- South: Harrisonburg-Rockingham Community Services Board offices, zoned B-2
- West: Parking area serving Harrisonburg Rockingham Community Services Board, zoned B-2

The Harrisonburg Rockingham Community Services Board (HRCSB) is requesting to amend proffers on their 0.46 +/- acre parcel zoned B-2C, General Business District Conditional. Located along North Main Street, this parcel is one of five properties that make up HRCSB's campus, which totals approximately 4.3 acres. Their four adjacent properties are zoned B-2. The purpose of the rezoning is to remove the existing proffers and to potentially build an additional structure to house a Crisis Stabilization Unit (CSU). In reality, HRCSB has enough property that would allow the construction of an additional building for a CSU use, without going through the rezoning process; however, the desired location for the building would straddle the zoning boundary between their B-2 and B-2C zoned property, and therefore requires the rezoning.

A Crisis Stabilization Unit, or CSU, is a supervised residential program that provides a location for adults to stay for no longer than 15 days, who may be experiencing a mental health crisis. Individuals, who may be in transition to the community, after inpatient psychiatric care, may also take advantage of this program. As noted by HRCSB, the program would be staffed around the clock by trained mental

health professionals. The program would not accept individuals who are dangerous or with a primary diagnosis of substance abuse. Additionally, the program would be licensed by the Virginia Department of Behavioral Health and Development Services and would operate in conformity with regulations of the Virginia Department of Medical Assistance Services. The Crisis Stabilization Program is contingent upon available funding; however HRCSB is organizing their efforts to be prepared to move forward with the program.

In 2000, HRCSB successfully rezoned the subject parcel from R-2 to B-2C. Since taking ownership of the property, HRCSB has used the cape cod-style, single family structure for office and business space. The existing proffers specify the 0.46-acre property can only be used for the following:

- Mercantile establishments which promote the show, sale and rental of goods, personal service establishment, and other shops or stores customary to shopping centers and convenience outlets, *excluding* restaurants and night clubs.
- Governmental, business and professional offices and financial institutions.
- Theaters, community rooms, museums and galleries and other places of assembly for the purpose of entertainment or education, including customary recreational and leisure-time activities which are compatible with surrounding uses, but *excluding* movie theaters.
- Religious, education, charitable or benevolent institutional uses which do not provide housing facilities.
- General service or repair shops that do not generate excessive noise, require outside storage or generate truck traffic.
- Radio and television stations and studios or recording studios, *excluding* those having antennae or communications towers.
- Public utilities, public service or public transportation uses or buildings, *excluding* utility generating, purification or treatment plants; water storage tanks; pumping or regulator stations; telephone exchange and transformer or substations.
- Warehousing and other storage facilities with floor area limited to 20,000 square feet, which are contiguous to permitted uses in the B-2 district, *excluding* wholesale or retail warehousing.
- Funeral homes.
- Public and privately owned parking lots and parking garages.
- Accessory buildings and uses customarily incidental to any of the above listed uses.
- Research and development activities which do not cause any more smoke, dust, odor, noise, vibration or danger of explosion than other uses permitted in this district and which involve no more than 15% of the gross floor area in the assembling or processing of products. Any assembling or processing shall only involve products developed on the premises. All services and storage shall be conducted within the principal structure which is to be completely enclosed.
- Plant nurseries and greenhouses provided any outside storage of materials, other than plants, must be screened.
- Public Uses.
- Uses hereafter approved by the Planning Commission upon request of the owner, and uses for which a special use permit is obtained pursuant to the ordinances of the City of Harrisonburg.
- Unless otherwise approved in writing by the Agent, no improvements hereafter constructed on the property shall exceed three stories or 40 feet in height.

If approved, all uses as specified in the B-2 district would be permitted.

As mentioned above, the purpose of the application is to rezone the 0.46-acre property by removing the existing proffers. This is necessary as the existing proffers do not permit hotels, motels and similar transient accommodations, which is how the CSU use would be categorized. Although not proffered,

HRCSB's plan is to maintain the single family structure and to remove the property boundaries to make way for the CSU building. This structure would be built directly behind the existing cape cod building and would be two stories—slightly lower in height than their adjacent main office building. No additional parking is planned or is necessary as HRCSB currently exceeds their parking requirements.

HRCSB has submitted one proffer with their application, which includes erecting a privacy fence that would extend from the front, right corner of the existing single family structure, and then turn northwestward and ultimately connect with the privacy fence that already stands on their property. (An illustration depicting the fence's location is provided within your packet.)

Although the adjoining property to the north is used and zoned residentially, staff does not believe there would be negative impacts to this property, and therefore has no concerns with this application. As already mentioned, if the rezoning were denied, HRCSB could still build the planned building and utilize it in a different manner and/or relocate the building several feet to the west and continue with their plans for the CSU use. The proffered privacy fence should help buffer the planned building and use from the residential property to the north while also providing solitude for those receiving help from HRCSB. Furthermore, other than the HRCSB-owned properties, which are designated public/semi public by the Comprehensive Plan, the surrounding properties are designated as Commercial, and therefore this application is in conformance with the City's long term plans.

Staff supports a favorable recommendation to amend the proffers on this B-2C property.

Chairman Jones asked if there were any questions for staff. Hearing none, he opened the public hearing and asked if the applicant or applicant's representative would like to speak.

Mr. Lacy Whitmore, Executive Director of the Harrisonburg Rockingham Community Services Board, said that his office is located in the 1241 North Main Street office building of the HRCSB, and we have a number of locations around town. I want to give a few brief comments about the program proposed for this location. Currently, we already have individuals coming to the CSB on a daily basis, who are either in crisis, or perhaps on the slippery slope of a crisis. Part of the intent of this program is for us to be able to provide a safe, welcoming, twenty-four hour a day environment next door to our office, where we can share staff and resources. This facility would allow us to invite someone to a "time-out" place before their crisis gets worse or possibly heads to an emergency situation that may result in hospitalization. Our hope is to have a seven bed program, staffed twenty-four hours a day by mental health professionals that would be able to provide a safe and welcoming spot for a "time-out." These individuals are primarily people that we are already seeing at the next door location on a day-to-day basis. We will be in full compliance with the many State regulations regarding this type of facility.

I have met with the adjoining home owner twice and he is very willing to work with us on this venture; we designed the proffered fence with input from him. We feel that we also have positive input from other neighbors in this area. I would appreciate your consideration on this matter and if you have questions regarding the building or the site, both the project architect and engineer are here to answer those questions.

Chairman Jones asked if there were any questions for the applicant. Hearing none, he asked if there was anyone wishing to speak in favor of the request. Hearing none, he asked if there was anyone wishing to speak in opposition of the request. Hearing none, he closed the public hearing.

Mr. Chenault moved to recommend approval of the rezoning. This is a great location for this campus; it is a good transitional use of the property between what is existing and what possibly could be constructed in the commercial and industrial zoned areas.

Mr. Snell seconded the motion.

Chairman Jones said there is a motion to recommend approval and a second. He then called for a voice vote on the matter.

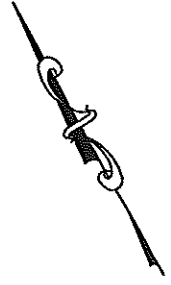
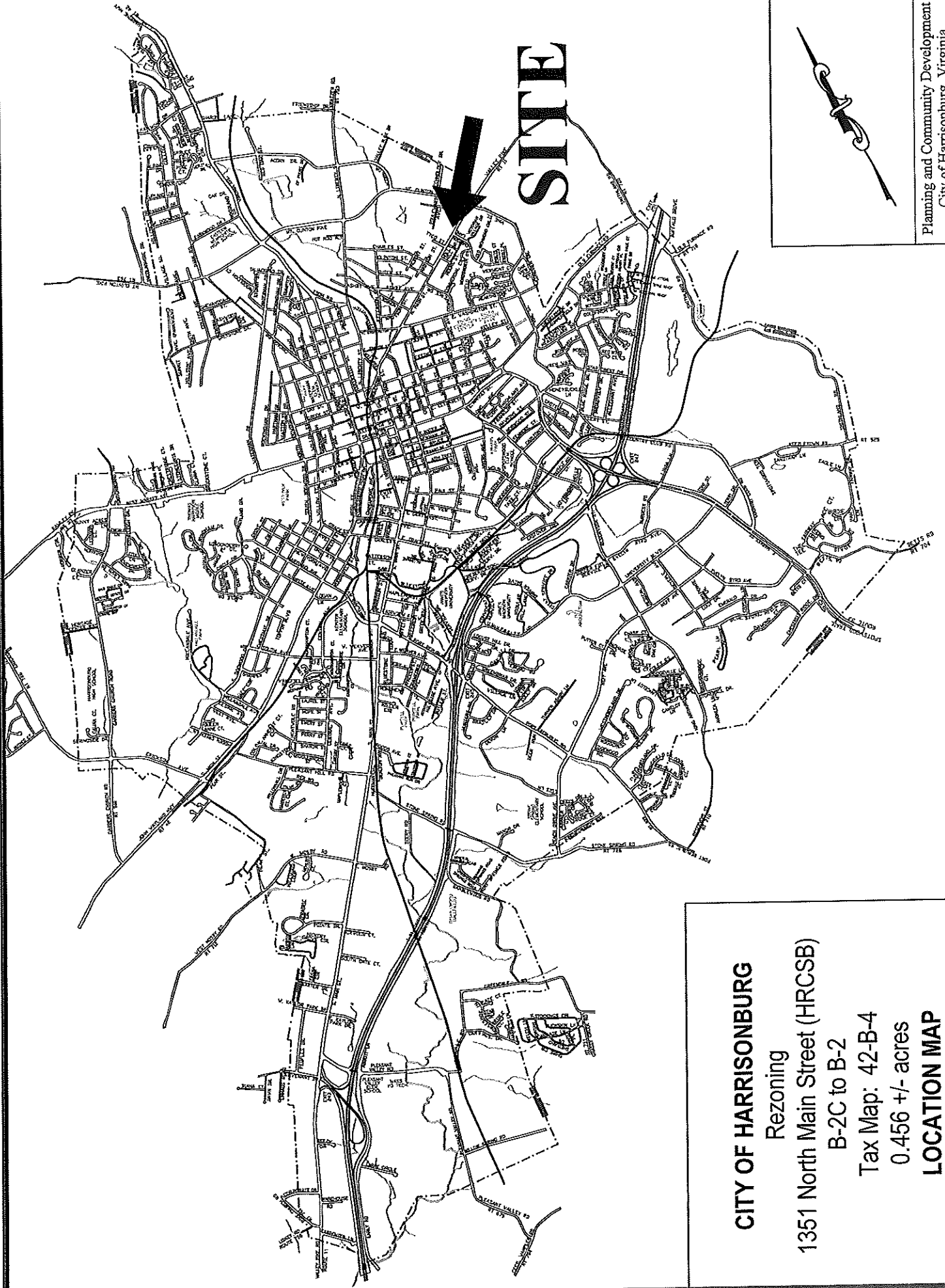
All voted in favor of the motion to recommend approval. (5-0)

Mr. Fletcher said this will go before City Council on April 13th.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Alison Banks".

Alison Banks
Planner



Planning and Community Development
City of Harrisonburg, Virginia

CITY OF HARRISONBURG

Rezoning

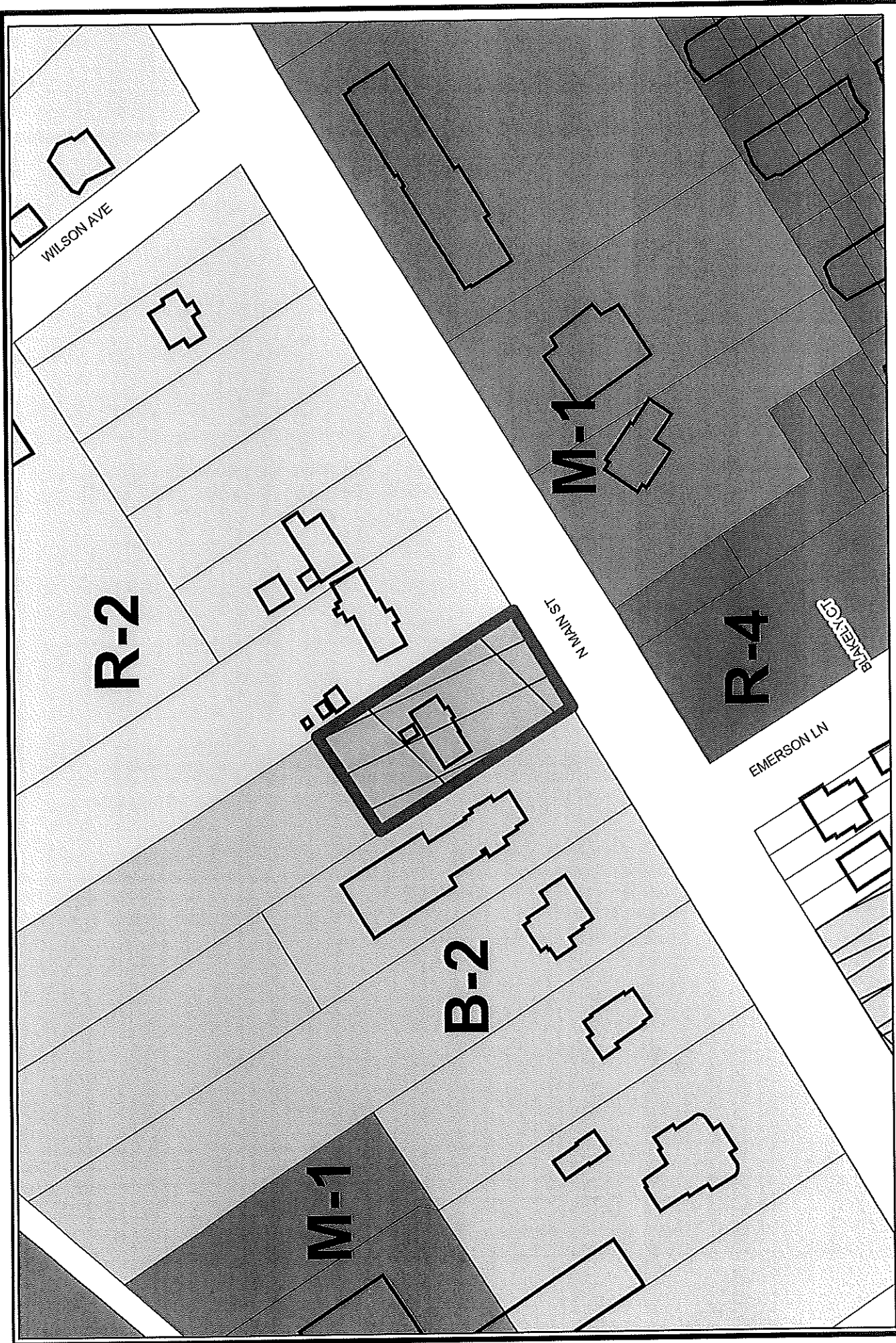
1351 North Main Street (HRCB)

B-2C to B-2

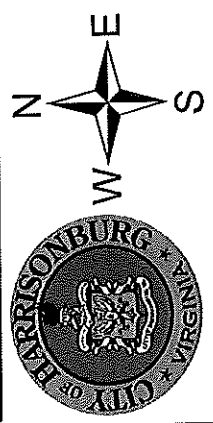
Tax Map: 42-B-4

0.456 +/- acres

LOCATION MAP



1351 North Main Street (HRC SB) Rezoning B-2C to B-2





City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

STAFF REPORT
March 10, 2010

REZONING – 1351 NORTH MAIN STREET (HRCSB)

GENERAL INFORMATION

Applicant: Harrisonburg-Rockingham Community Services Board
Tax Map: 42-B-4
Acreage: 0.46 +/- acres
Location: 1351 North Main Street
Request: Public hearing to consider a request to rezone one parcel zoned B-2C, General Business District Conditional by amending existing proffers.

LAND USE, ZONING, AND SITE CHARACTERISTICS

The Comprehensive Plan designates this area as Public / Semi-Public. This designation includes both existing and proposed public and semi-public use. They include lands owned or leased by the Commonwealth of Virginia (except for institutions of higher learning), the federal government, the City of Harrisonburg, and other governmental organizations.

The following land uses are located on and adjacent to the property:

Site: Two-story structure, used as office space, zoned B-2C
North: Dwelling unit, zoned R-2
East: Across North Main Street, non-conforming dwelling unit, zoned M-1 and the Blakely Court townhouse community (under construction), zoned R-4
South: Harrisonburg-Rockingham Community Services Board offices, zoned B-2
West: Parking area serving Harrisonburg Rockingham Community Services Board, zoned B-2

EVALUATION

The Harrisonburg Rockingham Community Services Board (HRCSB) is requesting to amend proffers on their 0.46 +/- acre parcel zoned B-2C, General Business District Conditional. Located along North Main Street, this parcel is one of five properties that make up HRCSB's campus, which totals approximately 4.3 acres. Their four adjacent properties are zoned B-2. The purpose of the rezoning is to remove the existing proffers and to potentially build an additional structure to house a Crisis Stabilization Unit (CSU). In reality, HRCSB has enough property that would allow the construction of an additional building for a CSU use, without going through the rezoning process; however, the desired location for the building would straddle the zoning boundary between their B-2 and B-2C zoned property, and therefore requires the rezoning.

A Crisis Stabilization Unit, or CSU, is a supervised residential program that provides a location for adults to stay for no longer than 15 days, who may be experiencing a mental health crisis. Individuals, who may be in transition to the community, after inpatient psychiatric care, may also take advantage of this program. As noted by HRCSB, the program would be staffed around the clock by trained mental health professionals. The program would not accept individuals who are dangerous or with a primary diagnosis of substance abuse. Additionally, the program would be licensed by the Virginia Department of Behavioral Health and Development Services and would operate in conformity with regulations of the Virginia Department of Medical Assistance Services. The Crisis Stabilization Program is contingent upon available funding; however HRCSB is organizing their efforts to be prepared to move forward with the program.

In 2000, HRCSB successfully rezoned the subject parcel from R-2 to B-2C. Since taking ownership of the property, HRCSB has used the cap cod-style, single family structure for office and business space. The existing proffers specify the 0.46-acre property can only be used for the following:

- Mercantile establishments which promote the show, sale and rental of goods, personal service establishment, and other shops or stores customary to shopping centers and convenience outlets, *excluding* restaurants and night clubs.
- Governmental, business and professional offices and financial institutions.
- Theaters, community rooms, museums and galleries and other places of assembly for the purpose of entertainment or education, including customary recreational and leisure-time activities which are compatible with surrounding uses, but *excluding* movie theaters.
- Religious, education, charitable or benevolent institutional uses which do not provide housing facilities.
- General service or repair shops that do not generate excessive noise, require outside storage or generate truck traffic.
- Radio and television stations and studios or recording studios, *excluding* those having antennae or communications towers.
- Public utilities, public service or public transportation uses or buildings, *excluding* utility generating, purification or treatment plants; water storage tanks; pumping or regulator stations; telephone exchange and transformer or substations.
- Warehousing and other storage facilities with floor area limited to 20,000 square feet, which are contiguous to permitted uses in the B-2 district, *excluding* wholesale or retail warehousing.
- Funeral homes.
- Public and privately owned parking lots and parking garages.
- Accessory buildings and uses customarily incidental to any of the above listed uses.
- Research and development activities which do not cause any more smoke, dust, odor, noise, vibration or danger of explosion than other uses permitted in this district and which involve no more than 15% of the gross floor area in the assembling or processing of products. Any assembling or processing shall only involve products developed on the premises. All services and storage shall be conducted within the principal structure which is to be completely enclosed.
- Plant nurseries and greenhouses provided any outside storage of materials, other than plants, must be screened.
- Public Uses.
- Uses hereafter approved by the Planning Commission upon request of the owner, and uses for which a special use permit is obtained pursuant to the ordinances of the City of Harrisonburg.

- Unless otherwise approved in writing by the Agent, no improvements hereafter constructed on the property shall exceed three stories or 40 feet in height.

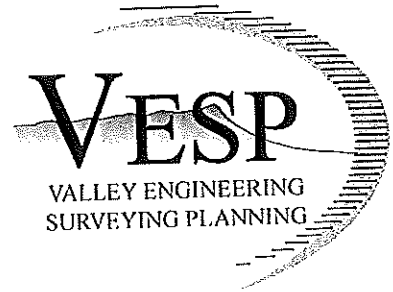
If approved, all uses as specified in the B-2 district would be permitted.

As mentioned above, the purpose of the application is to rezone the 0.46-acre property by removing the existing proffers. This is necessary as the existing proffers do not permit hotels, motels and similar transient accommodations, which is how the CSU use would be categorized. Although not proffered, HRCSB's plan is to maintain the single family structure and to remove the property boundaries to make way for the CSU building. This structure would be built directly behind the existing cap cod building and would be two stories—slightly lower in height than their adjacent main office building. No additional parking is planned or is necessary as HRCSB currently exceeds their parking requirements.

HRCSB has submitted one proffer with their application, which includes erecting a privacy fence that would extend from the front, right corner of the existing single family structure, and then turn northwestward and ultimately connect with the privacy fence that already stands on their property. (An illustration depicting the fence's location is provided within your packet.)

Although the adjoining property to the north is used and zoned residentially, staff does not believe there would be negative impacts to this property, and therefore has no concerns with this application. As already mentioned, if the rezoning were denied, HRCSB could still build the planned building and utilize it in a different manner and/or relocate the building several feet to the west and continue with their plans for the CSU use. The proffered privacy fence should help buffer the planned building and use from the residential property to the north while also providing solitude for those receiving help from HRCSB. Furthermore, other than the HRCSB-owned properties, which are designated public/semi public by the Comprehensive Plan, the surrounding properties are designated as Commercial, and therefore this application is in conformance with the City's long term plans.

Staff supports a favorable recommendation to amend the proffers on this B-2C property.



February 8, 2010

City of Harrisonburg, Virginia
Department of Community Development
409 S. Main Street
Harrisonburg, VA 22801

Reference: Rezoning Request for TM 42-(B)-4

To whom it may concern,

The Harrisonburg-Rockingham Community Services Board (HRCSB) is requesting the rezoning of TM 42-(B)-4, from B-2C to B-2, to allow for a two-story building that will house future HRCSB office space and a Crisis Stabilization Unit. The Crisis Stabilization Unit will operate as a licensed residential program providing transient housing (up to 15 days) and therapeutic supports for individuals experiencing a mental health crisis. Existing conditions on the parcel's zoning will not allow for such use, which is why the rezoning is necessary for the project to move forward.

As a representative for the HRCSB during this rezoning request, I encourage you to forward me any questions or concerns that may arise during review of the attached materials.

Sincerely,
Valley Engineering • Surveying • Planning

Seth Roderick, PE
Director of Planning & Transportation

HARRISONBURG-ROCKINGHAM Community Services Board

March 3, 2010

Mr. Kurt Hodgen
City Municipal Building
345 S. Main St.
Harrisonburg, VA 22801

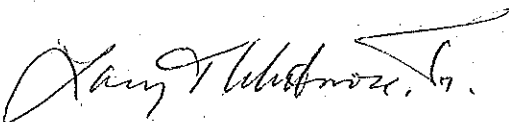
Reference: HRCSB, Rezoning Request for Tax Map # 42-(B)-4 – Proffered Condition

Dear Mr. Hodgen,

This letter is to serve as notice of a proffered condition for the requested rezoning of the referenced property, located on the northwestern side of N Main Street (Route 11), approximately 0.17 miles southwest of the City limits. As you are aware, it has been requested to rezone this parcel from its present zoning of B2-C to that of B2-C with different conditions. The Harrisonburg-Rockingham Community Services Board hereby proffers that the development of the subject property (on this letter and referenced application for rezoning) shall be in strict accordance with the following condition:

- 1) Upon development of site and prior to issuance of any Certificate of Occupancy, owner shall construct a privacy fence along northeastern property line, extending southeastward from the northwest corner of property (at terminus of existing privacy fence) before turning perpendicularly southwestward and terminating at the northeast corner of existing two-story building (in substantial conformance to the alignment shown on attached layout). Privacy fence shall be constructed in substantial conformance to the materials, height, and appearance of the existing fence to which it will adjoin.

Sincerely,



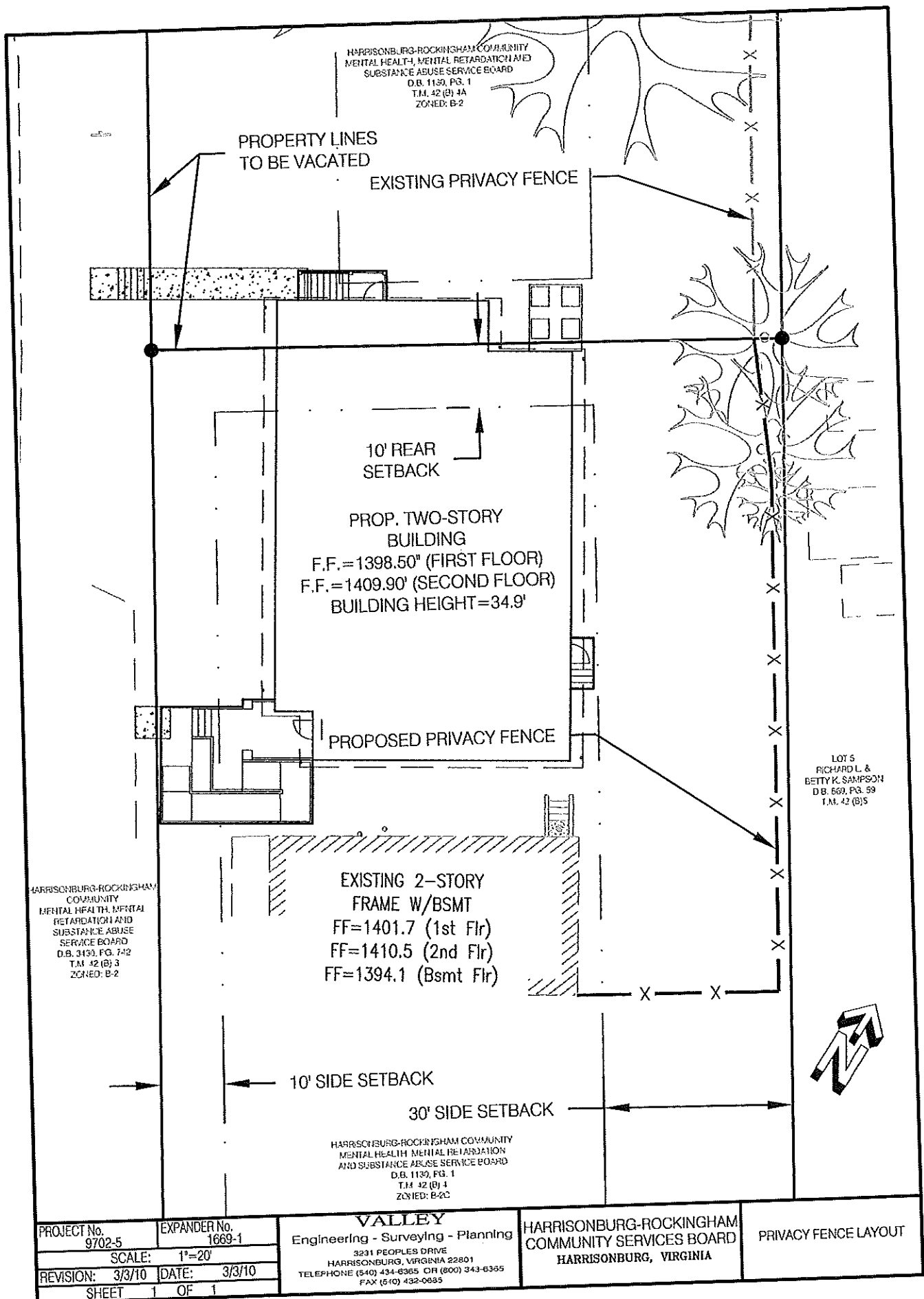
Lacy T. Whitmore, Jr.
Executive Director
Harrisonburg-Rockingham Community Services Board

Attachment, as noted

1241 North Main Street
Harrisonburg, VA 22802

Lacy T. Whitmore, Jr., Executive Director
Phone 540-434-1941, Fax 540-434-1791

Providing Behavioral Health and Developmental Services
to Citizens of the City of Harrisonburg and Rockingham County



HARRISONBURG-ROCKINGHAM COMMUNITY
MENTAL HEALTH, MENTAL RETARDATION AND
SUBSTANCE ABUSE SERVICE BOARD
D.B. 3430, PG. 742
T.M. 42 (B) 3A
ZONED: B-2

HARRISONBURG-ROCKINGHAM COMMUNITY
MENTAL HEALTH, MENTAL RETARDATION AND
SUBSTANCE ABUSE SERVICE BOARD
D.B. 3430, PG. 742
T.M. 42 (B) 3
ZONED: B-2

HARRISONBURG-ROCKINGHAM COMMUNITY
MENTAL HEALTH, MENTAL RETARDATION AND
SUBSTANCE ABUSE SERVICE BOARD
D.B. 1130, PG. 1
T.M. 42 (B) 4A
ZONED: B-2



EXISTING 3-STORY
FRAME & STUCCO
FF=1386.3 (1st Flr)

PROPERTY LINE
TO BE VACATED

5' SIDEWALK

10' SIDE SETBACK

30' FRONT SETBACK

PROP. 20 SANITARY
SEWER EASEMENT

10' SIDE SETBACK

10' REAR
SETBACK

PROP. TWO-STORY
BUILDING
F.F.=1393.50' (FIRST FLOOR)
F.F.=1409.90' (SECOND FLOOR)
BUILDING HEIGHT=34.9'

EXISTING 2-STORY
FRAME W/BSMT
FF=1401.7 (1st Flr)
FF=1410.5 (2nd Flr)
FF=1394.1 (Basmt Flr)

HARRISONBURG-ROCKINGHAM COMMUNITY
MENTAL HEALTH, MENTAL RETARDATION AND
SUBSTANCE ABUSE SERVICE BOARD
D.B. 1130, PG. 1
T.M. 42 (B) 4
ZONED: B-2C

CONCRETE PAD
4" THICK W/14"x4" WWM
ON 4" #21/4" STONE BASE
(REFER TO MECHANICAL DRAWINGS)

ELECTRICAL SECONDARY SERVICE ENTRANCE CONDUITS. REFER TO THE TWO
WAY ELECTRICAL CONDUIT DETAIL ON SHEET E4.01 AND THE ELECTRICAL
POWER RISER DIAGRAM ON SHEET E5.01 FOR MORE INFORMATION.

Ex. SSMH
Top=1397.16
Inv. 1391.56

EX.
MH #2

EX. 10' SANITARY
SEWER EASEMENT

CONTRACTOR TO DIG A TRENCH AS REQUIRED BY THE POWER COMPANY
FOR RELOCATION OF REMOVED OVERHEAD SERVICE. POWER COMPANY
TO PROVIDE NEW UNDERGROUND WIRE AND CONDUIT. CONTRACTOR
ONLY RESPONSIBLE FOR DIGGING NEW TRENCH.
(SEE ELECTRICAL DRAWINGS FOR DETAILS).

EX. 12' RIGHT-OF-WAY

217.60 LF OF 1.5" WATER LINE
COPPER, TYPE K

30' SIDE SETBACK

NOTE:
MAINTAIN TRAFFIC FLOW DURING WATER LATERAL
CONSTRUCTION. ALL SIGNAGE AND LANE SHIFTS SHALL
BE IN ACCORDANCE TO THE LATEST EDITIONS OF THE
MANUAL FOR UNIFORM TRAFFIC CONTROL DEVICES AND
THE VDOT WORK AREA PROTECTION MANUAL.



1" = 10' METER AND SETTING

NORTH MAIN STREET
(U. S. ROUTE 11)

APPROXIMATE LOCATION OF 12" WATERLINE

1.5" CORP. STOP

APPROXIMATE LOCATION OF
EXISTING FIRE HYDRANT



Date Application Received: 02-09-10

Total Paid: \$350.00 AF

Application for Change of Zoning District City of Harrisonburg, Virginia

Section 1: Property Owner's Information

Name: Harrisonburg-Rockingham Community Services Board (Contact: Lacy Whitmore)

Street Address: 1241 North Main Street Email: lwhitm@hrcsb.org

City/State/Zip: Harrisonburg, VA 22802

Telephone (work): 434-1941 (home or cellular): _____ (fax): _____

Section 2: Owner's Representative Information

Name: Valley Engineering Surveying Planning (Contact: Seth Roderick)

Street Address: 3231 Peoples Drive Email: sroderick@valleyesp.com

City/State/Zip: Harrisonburg, VA 22801

Telephone (work): 434-6365 (home or cellular): _____ (fax): _____

Section 3: Description of Property

Location (street address): 1351 North Main Street

Tax Map Number: Sheet: 42 Block: B Lot: 4 Total Land Area (acres or square feet): 0.456 AC

Existing Zoning District: B-2C Proposed Zoning District * : B-2

Existing Comprehensive Plan Designation: Commercial

**If applying for conditional rezoning, provide a letter stating proffers on separate sheet of paper*

Section 4: Application Fee

\$325.00 plus \$25.00 per acre, and if applicable, Fees for a Traffic Impact Analysis (TIA) Review (see below)

- (a). Would the development from this rezoning require a Traffic Impact Analysis by VDOT?
Yes _____ No ✓

If yes, then fees must be made payable to VDOT to cover costs associated with the TIA review.

PLEASE NOTE – If a TIA is required, this application shall not be considered accepted until the TIA has been reviewed.

- (b). Would the development from this rezoning require a Traffic Impact Analysis review by the City?
Yes _____ No ✓

If yes, then an additional \$1,000.00 must be made payable to the City to cover costs associated with the TIA review.

PLEASE NOTE – If a TIA is required, this application shall not be considered accepted until the TIA has been reviewed.

Section 5: Names and Addresses of Adjacent Property Owners (Use separate sheet for additional names)

North: See Attached

East: _____

South: _____

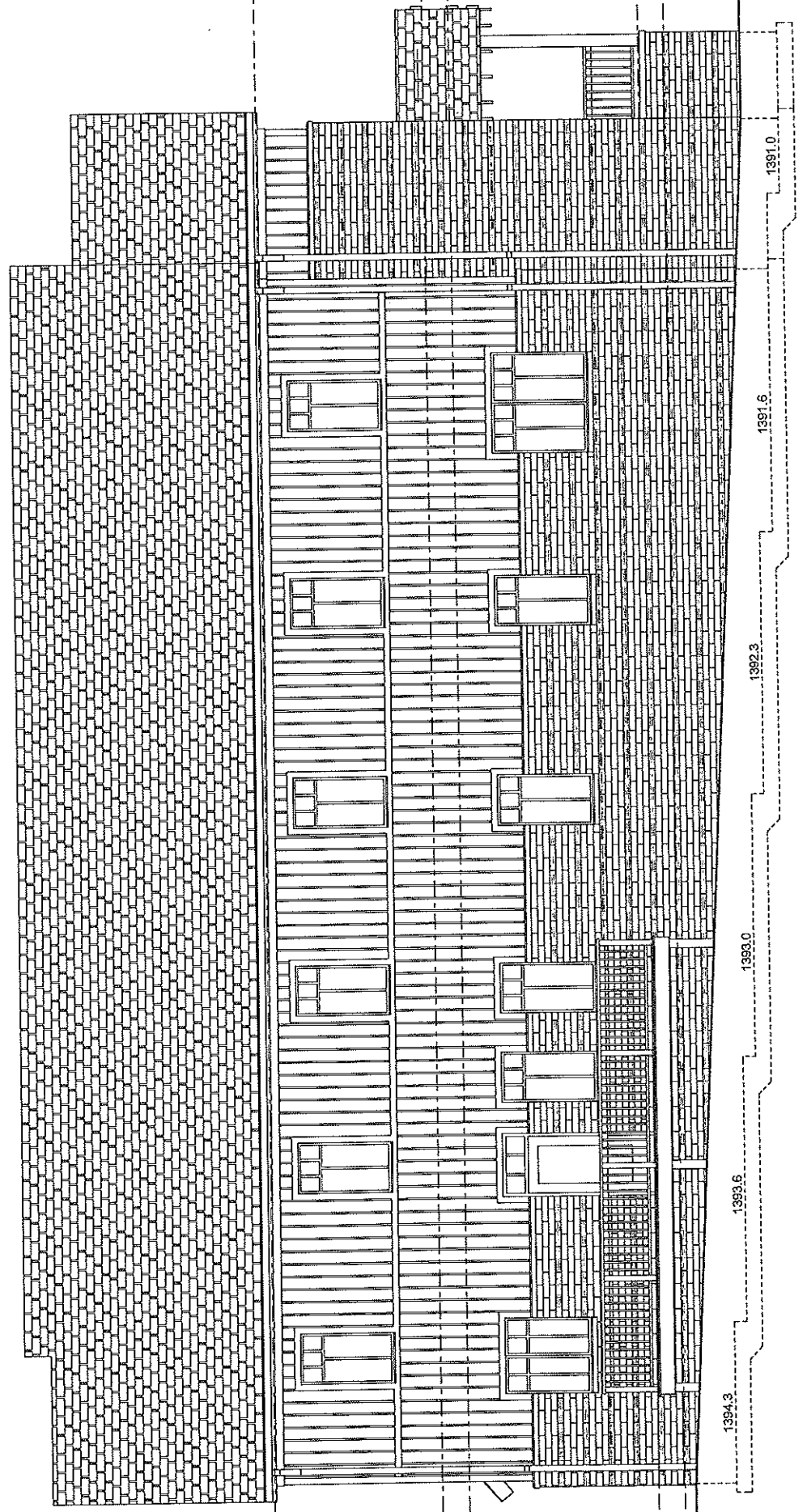
West: _____

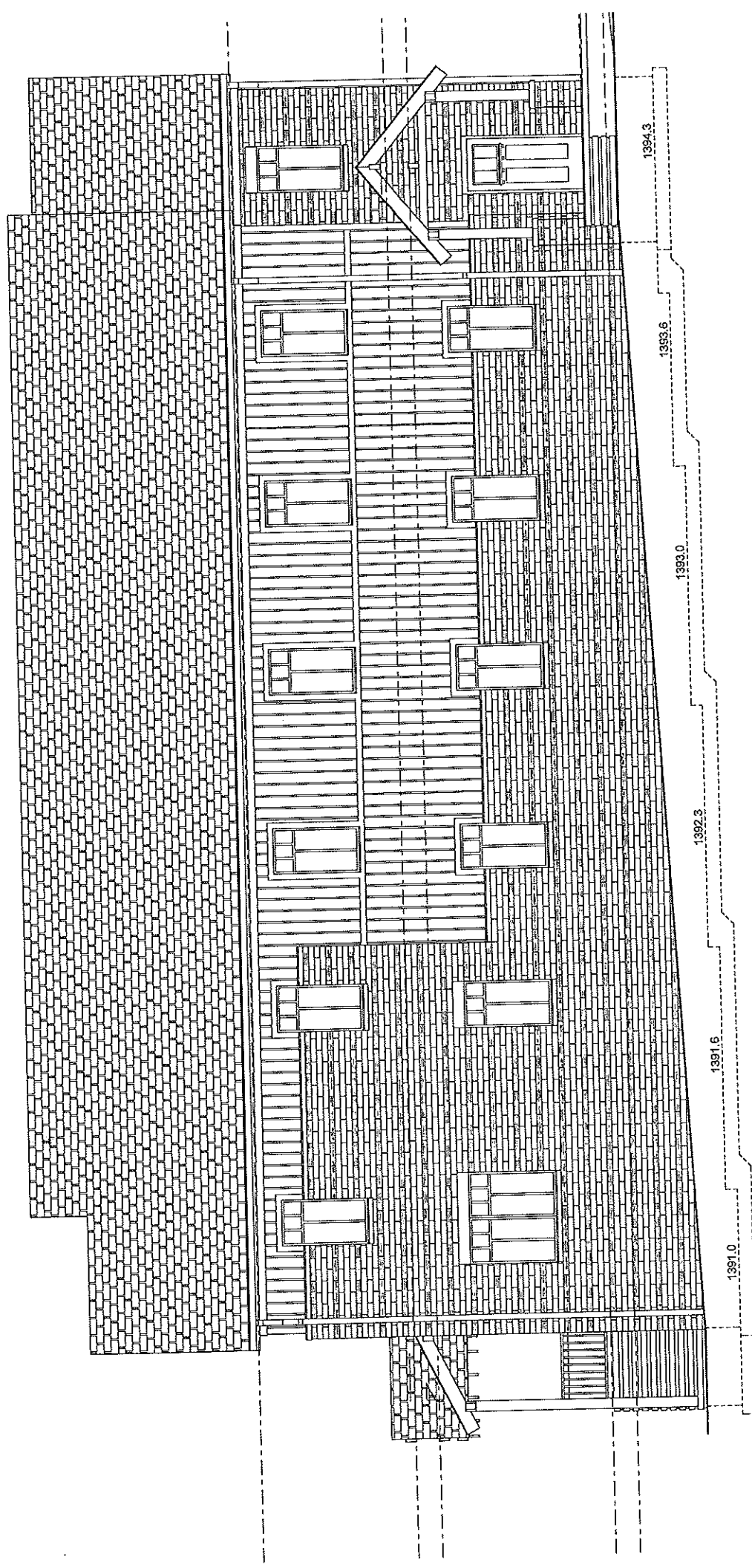
Section 6: Certification

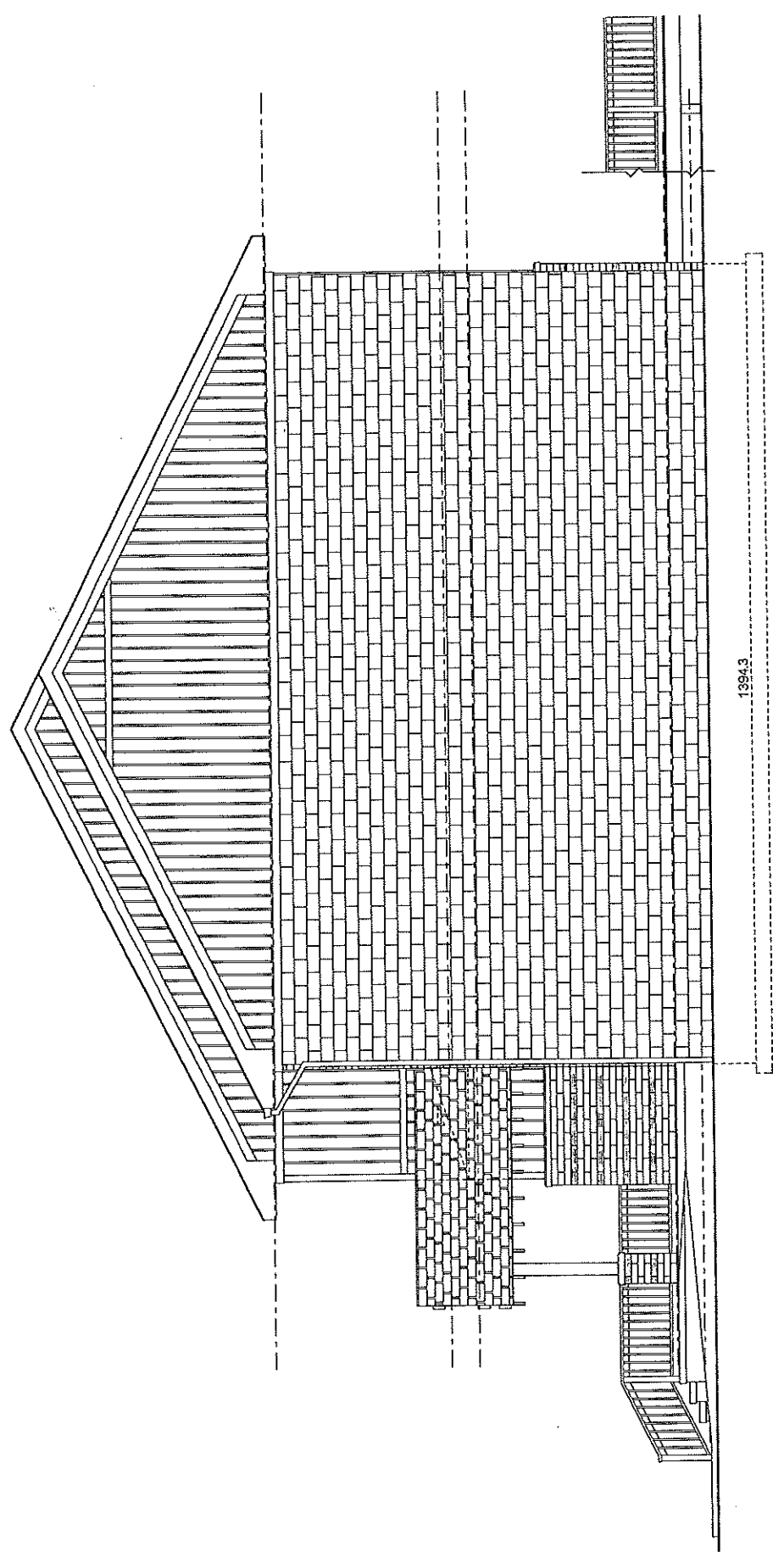
I certify that the information contained herein is true and accurate. Signature: _____

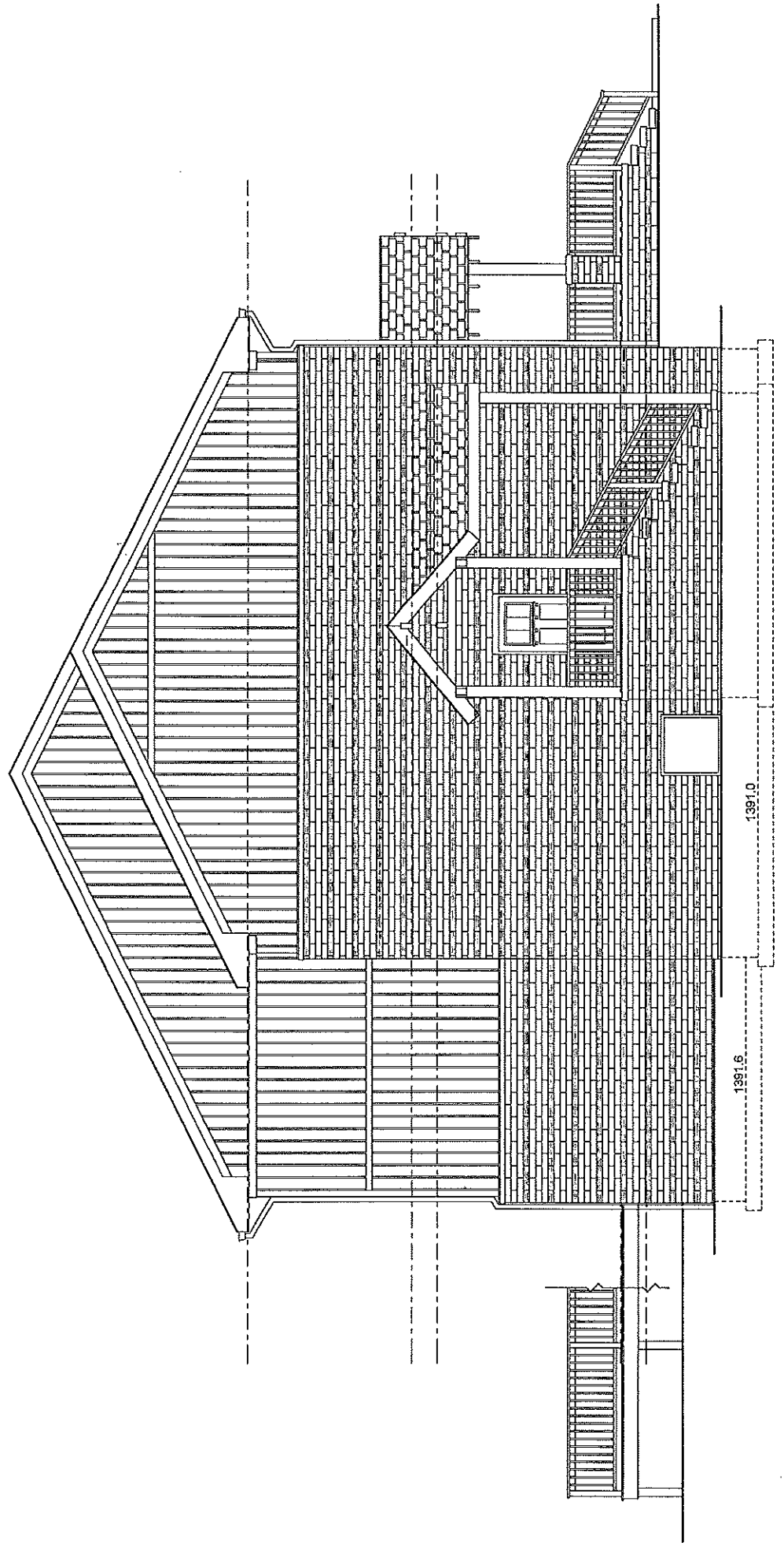
Lacy Whitmore, Sr.
Property Owner

See Back for Items Required for Submission









AGENDA ITEM # 7

AGENDA ITEM ACTION REQUEST

	Meeting Date: April 13, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Item: Public Hearing - Consider a request from Eastern Mennonite University to rezone 42.9 +/- acres of their property zoned R-3, Multiple Dwelling Residential District and I-1, Institutional Overlay District.
Reviewed: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Review: Planning Commission recommended approval (5-0) of the rezoning request for property located on tax map parcels 48-H-3 & 4 and 51-A-1. EMU will be adding a parcel and amending their master plan for properties located along Park Road, West Dogwood Drive, and Parkwood Drive.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	
April 13.12	Attachments: 1. Public Hearing notice. 2. Planning Commission extracts and other supporting documents.

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold a public hearing on **Tuesday, April 13, 2010 at 7:00 p.m.**, in the City Council Chambers, 409 South Main Street to consider the following:

Rezoning – 1351 North Main Street (HRC SB)

Public hearing to consider a request from the Harrisonburg-Rockingham Community Services Board to rezone a 0.456 +/- acre parcel zoned B-2C, General Business District Conditional by amending their proffers. The parcel is located at 1351 North Main Street and can be found on tax map 42-B-4. The Comprehensive Plan designates this area as Public / Semi-Public. This designation includes both existing and proposed public and semi-public use. They include lands owned or leased by the Commonwealth of Virginia (except for institutions of higher learning), the federal government, the City of Harrisonburg, and other governmental organizations. Examples of uses included in this category are public schools, libraries, City Hall and City administrative and support facilities. The Zoning Ordinance states that the B-2, General Business District is intended to provide sufficient space in appropriate locations for a wide variety of retail shopping, commercial, automotive, miscellaneous recreational, and service activities. No minimum lot size restrictions exist in the B-2, General Business District.

Rezoning – EMU Master Plan Change 2010

Public hearing to consider a request from Eastern Mennonite University to rezone 42.9 +/- acres of their property zoned R-3, Multiple Dwelling Residential District and I-1, Institutional Overlay District by adding a parcel and amending their master plan. The properties are located along Park Road, West Dogwood Drive, and Parkwood Drive and can be found on tax maps 48-H-3 & 4 and 51-A-1. The Comprehensive Plan designates this area as Institutional. These lands are designated for development by certain nonprofit and public institutional uses such as colleges and universities, hospitals, offices of nonprofit organizations, community assembly uses and institutions which provide for the shelter and care of people. The Zoning Ordinance states that the R-3, Multiple Dwelling Residential District is intended for medium- to high-density residential development and other uses intended to respect the residential character, which are aesthetically compatible within the district by means of architectural expression, landscaping, and restrained traffic flow. The residential density ranges for R-3 are single-family, 6,000 sq. ft. minimum; two-family, 4,000 sq. ft./unit; multi-family, 3,000 sq. ft. minimum per unit; townhouses, 2,000 sq. ft. minimum per unit; and other uses, 6,000 sq. ft. minimum. The I-1, Institutional Overlay District is intended to provide for orderly development of certain nonprofit institutional uses and is created as a special overlay district to be superimposed on base districts by approval of City Council. Dimensional and density regulations are intended to supplement those permitted in the underlying zoning classification.

Ordinance Amendments – Zoning Ordinance Amendments Sections 10-3-5, 16, 25, 48.3, 120, 122, & 123.

Public hearing to consider amending the Zoning Ordinance for corrections and updates within Sections 10-3-5, 16, 25, 48.3, 120, 122, & 123.

Maps and other information are available for review in the Community Development Department, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m.

All persons interested will have an opportunity to express their views at these public hearings. Any individual requiring auxiliary aids, including signers, in connection with the public hearing shall notify the Planner at 432-7700 at least five days prior to the date of the meeting.

CITY OF HARRISONBURG
Kurt D. Hodgen
City Manager



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

409 South Main Street

Harrisonburg, Virginia 22801

Website: <http://www.harrisonburgcommdev.com/>

Telephone: (540) 432-7700 Fax: (540) 432-7777

April 6, 2010

TO THE MEMBERS OF CITY COUNCIL

CITY OF HARRISONBURG, VIRGINIA

SUBJECT: Public hearing to consider a request from Eastern Mennonite University to rezone 42.9 +/- acres of their property zoned R-3, Multiple Dwelling Residential District and I-1, Institutional Overlay District by adding a parcel and amending their master plan. The properties are located along Park Road, West Dogwood Drive, and Parkwood Drive and can be found on tax maps 48-H-3 & 4 and 51-A-1.

**EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING
HELD ON:** March 10, 2010.

Chairman Jones read the request and asked staff to report.

Mrs. Banks said the Comprehensive Plan designates this area as Institutional. These lands are designated for development by certain nonprofit and public institutional uses such as colleges and universities, hospitals, offices of nonprofit organizations, community assembly uses and institutions which provide for the shelter and care of people.

The following land uses are located on and adjacent to the property:

Site: Educational, recreational and residential buildings, parking lots, and common area associated with the University, zoned R-3 / I-1

North: Park View neighborhood, zoned R-2

East: Eastern Mennonite High School, zoned R-3 / I-1

South: Across Mount Clinton Pike, commercial uses, zoned B-2 and residential uses, zoned R-2

West: Village Square townhouses and residential uses, zoned R-3

Eastern Mennonite University (EMU) is requesting to make modifications to their master plan, which was originally approved in 1998. During the original proposal EMU illustrated their existing campus layout and depicted where additions to building and parking lots were planned. The I-1, Institutional Overlay District requires master plan approval, which permits flexibility with setbacks, building heights, and parking regulations. Over the past twelve years several buildings and parking lots have been constructed in compliance with the approved plan. The proposed amendments to the master plan include illustrating where the university would like to incorporate structures that would provide energy from solar panels, making modifications to maximum building height, relocating building additions, and to incorporate new property into the plan. EMU consists of several parcels, totaling 91.89 acres, which are bound by Mount Clinton Pike, Dogwood Drive, Virginia Mennonite Retirement Community,

and Eastern Mennonite High School. This amendment only takes into account a 42.9 +/- acre portion of the EMU campus, those parcels of the campus which are directly south and west of Parkwood Road.

EMU recently re-examined the 1998 master plan to see if it needed updating in order to reflect the ever changing conditions that affect the school and campus. One area that EMU saw as a priority for the overall campus was to include the implementation and use of green technology; therefore, the first change is to install renewable energy solar panels at four locations within the EMU campus. These panels would provide energy from solar cells which in turn would be utilized by EMU. All equipment associated with the solar panels would be interiorly housed. The four locations are:

- Hartzler Library roof top
- University Commons parking lot
- Hillside Dormitory roof top
- Turf field parking lot (future)

Each roof top panel attaches directly to the roof and would vary between two and twelve inches in height depending on the roof and slope. The Hillside roof panels would actually be lower than the existing roof and would only be along the southern portion of the building. The Hartzler Library panels would have a southward facing slope and would not exceed five feet above the current building height of 40 feet. Thus, the overall building height for the library would be no greater than 45 feet.

The parking lot panels would rest on carport style support structures and vary in height from 8 ½ to 20 feet. This allows for vehicles to park underneath the panel structure. The support columns would be located such that all existing parking spaces are retained. The panels would run parallel with parking stalls and the 20 foot minimum drive aisles would remain open for vehicular access; therefore, the parking lots would remain usable. The solar panels proposed for the University Commons parking lot would maintain a five foot setback from the property line with Dogwood Drive. The five feet is from the edge of the actual panel and not the support structure, which would sit further back from the property line. On the 1998 master plan, the narrative proposed a landscape buffer, at a minimum of ten feet in width, consisting of suitable trees and / or shrubs, along the perimeter (adjacent to any public street), of the parking lot serving the University Commons. This landscape buffer is currently in place and would remain; however, the panels would over-hang the buffer by five feet. The turf parking lot is planned for future construction and the solar panels designed for this parking lot would be similar in design to the University Commons panels but would have a setback of 24 feet from the property line with Eastern Mennonite High School.

Two other changes are proposed with this amendment. A 30,000 square foot addition to the Suter Science Center, originally designed for the north and eastern sides of the building in 1998, is now planned along the south side. This addition is shown on the proposed amendment as crossing over a property line to the south. A subdivision to vacate the line would need to be completed prior to construction of the addition. The final change is the addition of a parcel into the I-1 overlay district. The house and property at 1110 Park Road were acquired by EMU after approval of the 1998 master plan and the applicant desires to incorporate them into the plan. The dwelling is currently being used for housing.

Harrisonburg Electric Commission has been in conversation with EMU regarding the solar panel project and from their standpoint there should not be any problems with the solar usage and interconnection.

In reviewing the Plan, it should be noted that this is a review of the development concept only and that each campus facility would require separate approval to insure compliance with building codes and with the City's design and construction standards.

Staff is supportive of the 2010 master plan amendment. The submitted changes are in keeping with the intentions of the I-1 district and staff does not foresee negative impacts to the surrounding neighborhood. Staff welcomes EMU's plan to incorporate green infrastructure and hopes it encourages similar technology in our area.

Chairman Jones asked if there were any questions for staff. Hearing none, he opened the public hearing for the rezoning request and asked if the applicant or applicant's representative would like to speak.

Mr. Ed Blackwell with Blackwell Engineering said he is representing the applicants, Eastern Mennonite University. Also here tonight to answer any questions are Ron Piper with EMU; Eldon Kurtz with EMU facility management; Tony Smith, who actually works at EMU in the Business Department, and is also part of the team which will be installing the solar system; and Johann Zimmerman, structural engineer who will be doing the structural layout for the panels. What initiated this master plan upgrade were the solar panels; but, while doing that change there were changes to the Suter Science Center, which needed to be made and the inclusion of the new parcel. Staff has done an excellent job; however, if you have any further questions we would be happy to answer them.

Mr. Da'Mes asked if there were batteries associated with the solar panels and would they be housed in a building or separate facility.

Mr. Tony Smith, Co-Director of the MBA program with EMU and also with Secure Futures, the company who would be installing the solar powered generation system, said in this case we have had cooperation with the Harrisonburg Electric Commission so that the University would interconnect directly to the grid. Therefore, as the panels generate power, it will be used instantaneously to supply the electrical needs of the University. In a rare occasion when there is less demand than the panels are producing, HEC has agreed to accept that surplus power.

Chairman Jones asked if there were any questions for the applicant. Hearing none, he asked if there was anyone wishing to speak in favor of the request. Hearing none, he asked if there was anyone wishing to speak in opposition of the request. Hearing none, he closed the public hearing.

Mr. Da'Mes moved to recommend approval of the amendment to the master plan. It is innovative and progressive, and I look forward to seeing it in place.

Mr. Snell seconded the motion.

Chairman Jones said there is a motion to recommend approval and a second. He then called for a voice vote.

All voted in favor of the motion. (5-0)

Chairman Jones said this will go before City Council on April 13, 2010.

Respectfully Submitted,



Alison Banks
Planner

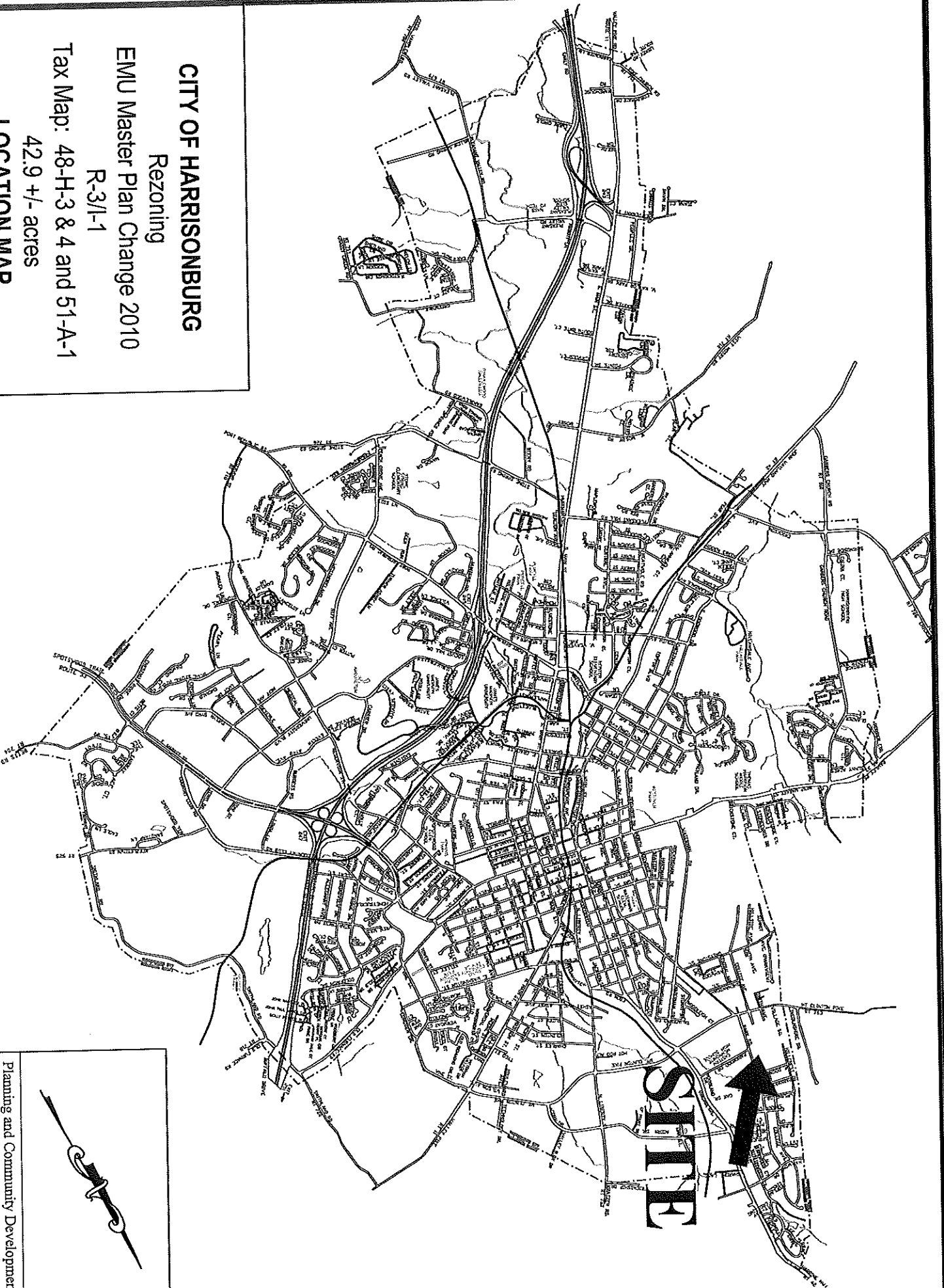
Rezoning

EMU Master Plan Change 2010

R-3/1-1

Tax Map: 48-H-3 & 4 and 51-A-1
42.9 +/- acres

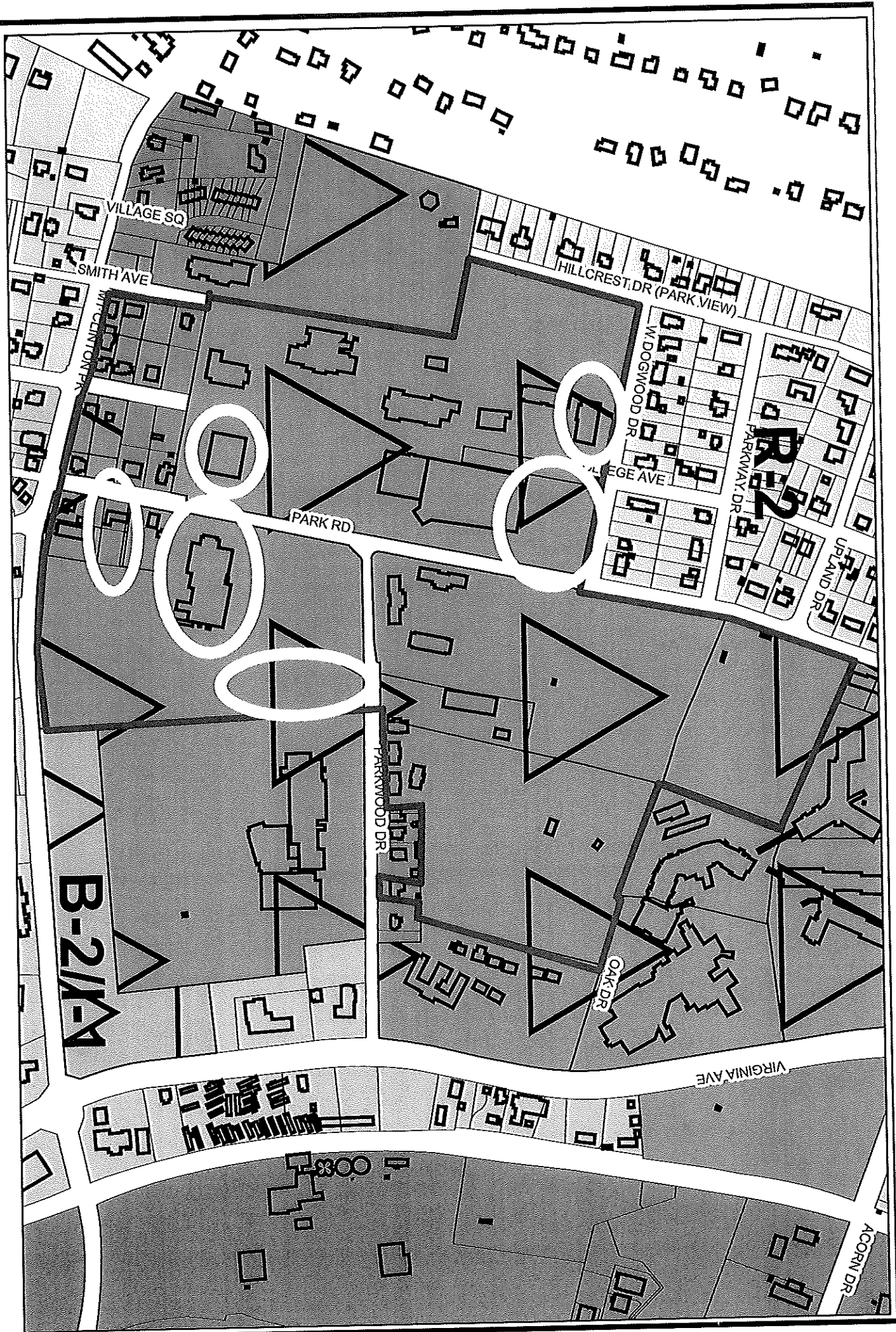
LOCATION MAP



Planning and Community Development
City of Harrisonburg, Virginia



EMU Master Plan Change 2010



City of Harrisonburg, Virginia
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

STAFF REPORT
March 10, 2010

REZONING – EASTERN MENNONITE UNIVERSITY MASTER PLAN CHANGE 2010

GENERAL INFORMATION

Applicant:	Eastern Mennonite University, with representatives, Ron Piper and Ed Blackwell
Tax Map:	48-H-3 & 4 and 51-A-1
Acreage:	42.9 +/- acres
Location:	1200, 1110, and 1194 Park Road
Request:	Public hearing to consider a request from Eastern Mennonite University to rezone 42.9 +/- acres of their property zoned R-3, Multiple Dwelling Residential District and I-1, Institutional Overlay District by amending their master plan.

LAND USE, ZONING, AND SITE CHARACTERISTICS

The Comprehensive Plan designates this area as Institutional. These lands are designated for development by certain nonprofit and public institutional uses such as colleges and universities, hospitals, offices of nonprofit organizations, community assembly uses and institutions which provide for the shelter and care of people.

The following land uses are located on and adjacent to the property:

Site:	Educational, recreational and residential buildings, parking lots, and common area associated with the University, zoned R-3 / I-1
North:	Park View neighborhood, zoned R-2
East:	Eastern Mennonite High School, zoned R-3 / I-1
South:	Across Mount Clinton Pike, commercial uses, zoned B-2 and residential uses, zoned R-2
West:	Village Square townhouses and residential uses, zoned R-3

EVALUATION

Eastern Mennonite University (EMU) is requesting to make modifications to their master plan, which was originally approved in 1998. During the original proposal EMU illustrated their existing campus layout and depicted where additions to building and parking lots were planned. The I-1, Institutional Overlay District requires master plan approval, which permits flexibility with setbacks, building heights, and parking regulations. Over the past twelve years several buildings and parking lots have been constructed in compliance with the approved plan. The proposed amendments to the master plan include illustrating where the university would like to incorporate structures that would provide energy from solar panels, making modifications to maximum building height, relocating building additions, and to incorporate new property into the plan. EMU consists of several parcels, totaling 91.89 acres,

which are bound by Mount Clinton Pike, Dogwood Drive, Virginia Mennonite Retirement Community, and Eastern Mennonite High School. This amendment only takes into account a 42.9 +/- acre portion of the EMU campus, those parcels of the campus which are directly south and west of Parkwood Road.

EMU recently re-examined the 1998 master plan to see if it needed updating in order to reflect the ever changing conditions that affect the school and campus. One area that EMU saw as a priority for the overall campus was to include the implementation and use of green technology; therefore, the first change is to install renewable energy solar panels at four locations within the EMU campus. These panels would provide energy from solar cells which in turn would be utilized by EMU. All equipment associated with the solar panels would be interiorly housed. The four locations are:

- Hartzler Library roof top
- University Commons parking lot
- Hillside Dormitory roof top
- Turf field parking lot (future)

Each roof top panel attaches directly to the roof and would vary between two and twelve inches in height depending on the roof and slope. The Hillside roof panels would actually be lower than the existing roof and would only be along the southern portion of the building. The Hartzler Library panels would have a southward facing slope and would not exceed five feet above the current building height of 40 feet. Thus, the overall building height for the library would be no greater than 45 feet.

The parking lot panels would rest on carport style support structures and vary in height from 8 1/2 to 20 feet. This allows for vehicles to park underneath the panel structure. The support columns would be located such that all existing parking spaces are retained. The panels would run parallel with parking stalls and the 20 foot minimum drive aisles would remain open for vehicular access; therefore, the parking lots would remain usable. The solar panels proposed for the University Commons parking lot would maintain a five foot setback from the property line with Dogwood Drive. The five feet is from the edge of the actual panel and not the support structure, which would sit further back from the property line. On the 1998 master plan, the narrative proposed a landscape buffer, at a minimum of ten feet in width, consisting of suitable trees and / or shrubs, along the perimeter (adjacent to any public street), of the parking lot serving the University Commons. This landscape buffer is currently in place and would remain; however, the panels would over-hang the buffer by five feet. The turf parking lot is planned for future construction and the solar panels designed for this parking lot would be similar in design to the University Commons panels but would have a setback of 24 feet from the property line with Eastern Mennonite High School.

Two other changes are proposed with this amendment. A 30,000 square foot addition to the Suter Science Center, originally designed for the north and eastern sides of the building in 1998, is now planned along the south side. This addition is shown on the proposed amendment as crossing over a property line to the south. A subdivision to vacate the line would need to be completed prior to construction of the addition. The final change is the addition of a parcel into the I-1 overlay district. The house and property at 1110 Park Road were acquired by EMU after approval of the 1998 master plan and the applicant desires to incorporate them into the plan. The dwelling is currently being used for housing.

Harrisonburg Electric Commission has been in conversation with EMU regarding the solar panel project and from their standpoint there should not be any problems with the solar usage and interconnection.

In reviewing the Plan, it should be noted that this is a review of the development concept only and that each campus facility would require separate approval to insure compliance with building codes and with the City's design and construction standards.

Staff is supportive of the 2010 master plan amendment. The submitted changes are in keeping with the intentions of the I-1 district and staff does not foresee negative impacts to the surrounding neighborhood. Staff welcomes EMU's plan to incorporate green infrastructure and hopes it encourages similar technology in our area.

Eastern Mennonite University

Master Plan Narrative

February, 2010

The attached Master Plan of Eastern Mennonite University is being submitted for review and approval under Section 10-3-106, "Master Plan Requirements". This narrative follows the guidelines of Section 10-3-106, Items 1-4. Note:

Item 1:

The total highlighted property shown in the attached Master Plan, under the control and ownership of Eastern Mennonite University, consists of 93.6 acres. This does not include all property owned by Eastern Mennonite University, as there are other parcels not a part of the institutional overlay zone. Generally, this property (denoted in the Master Plan legend as 'EMU owned property') is described as follows:

Multiple parcels bound by Mt Clinton Pike, Park Road, and Dogwood Drive totaling	41.1 acres.
Multiple parcels South of Mt Clinton Pike totaling	1.1 acres.
Multiple parcels bound by Mt Clinton Pike, Park Road, Parkwood Drive, and Eastern Mennonite High School totaling	18.0 acres.
Multiple parcels bound by Parkwood Drive, Park Road, and the Virginia Mennonite Retirement Community totaling	<u>33.4 acres.</u>
TOTAL:	93.6 acres

Within the property, Smith Street, College Avenue and Park Road are all dedicated public streets. Please refer to the attached Master Plan.

Item 2:

The locations of the existing and the proposed buildings are illustrated on the attached Master Plan. Their respective uses and other data are as follows:

Existing Facilities:

1. Academic Facilities: Suter Science Center, Seminary, Astral Hall, Hartzler Library, Art Center, Theater Facility (University Commons) plus some classrooms in the Campus Center.
2. Housing Facilities: Northlawn, Roselawn, Hillside, Elmwood, Maplewood, and Cedarwood Dormitories, Martin House, Redmond House, Parkwood Apartments, Village Apartments and Mt. Clinton Pike Apartments
3. Assembly Facility: Lehman Auditorium
4. Recreation Facility: University Commons which includes a gymnasium
5. Student Services: Campus Center, Bookstore and Student Center (University Commons), Discipleship Center, The Cabin
6. Administrative Offices: Campus Center
7. Maintenance: Physical Plant Building
8. Miscellaneous Support Services: Suter, Blosser, Lehman, Guest, Heatwole, Brunk and Anderson Houses.
9. Stormwater Management: Three detention ponds all located on the east side of campus.

Proposed Facilities:

1. Proposed Welcome Center: Currently shown at the northeast corner of Mt. Clinton Pike and College Ave., a proposed academic/welcome center is to be a two story facility of 5,000 square feet per floor for a total of 10,000 square feet.
2. Proposed Academic Building (College Avenue): An academic building up to 10,000 square feet per floor is proposed to be constructed and located at the west corner of Mt. Clinton Pike and College Ave.
3. Proposed Academic Building (Smith Avenue): An academic building up to 25,000 square feet per floor is proposed to be constructed and located to the west of Northlawn Dormitory.
4. Proposed Lehman Auditorium Addition: The existing Lehman Auditorium is proposed to be expanded to the east with a one story addition of 10,000 to 15,000 square feet.
5. Proposed Hartzler Library Addition: The existing Hartzler Library is proposed to be expanded with a three story addition of 18,000 to 20,000 square feet.
6. Northlawn Dormitory Addition: A proposed kitchen and dining addition to the east side of Northlawn Dormitory is to be a one story addition of 10,000 to 15,000 square feet.
7. Suter Science Center Addition: The Science Department and the University have decided on a proposed addition to the south side of the existing Suter Science Center. The total three story square footage addition is expected to be up to 30,000 square feet.
8. Solar Panels: Four locations are proposed for the installation of solar panels. These panels will be constructed similar to the manufacturers' documentation as attached. The

energy provide from the solar cells will be utilized by EMU. The four locations are shown on the attached Master Plan drawing and are described as follows:

- a. Hartzler Library roof panels: The roof top of the existing Hartzler Library will serve as the first location for a multi-panel array of solar cells. These panels (or tiles) vary in height from 2" at the front of the panel to about 12" at the rear of the panel. A structural engineer is currently designing the mounting system, but it is planned for these panels to be installed directly on the roof deck. These panels will add no more than 5 feet to the current roof height and therefore increase the overall height of Hartzler Library to no more than 45 feet.
 - b. University Commons parking lot: The parking lot north of the University Commons will serve as a second location for a multi-panel array of solar cells. These panels will rest on a carport style support structure, allowing the current parking lot to remain in use. The cars park underneath the panels, enabling no loss in the number of parking spaces. These panels (or tiles) vary in height from 8.5 to 10 feet in the front to 14 to 16 feet at the rear of the panel. The support columns are spaced 18 feet on center. These solar arrays will run parallel with and above the current parking stalls, leaving a 20 foot minimum drive aisles open for vehicular access. The solar panels arrayed adjacent to Dogwood Drive will maintain a 5 foot minimum setback with the property line. Since the solar panels are elevated, the 10 foot landscape buffer shall still be maintained.
 - c. Hillside roof panels: A portion of the south facing roof of the existing Hillside dormitory will serve as the third location for a multi-panel array of solar cells. These panels attach directly to the roof and will be about 2 to 4 inches tall. The panels will be installed on the lower level roof only and therefore not increase the overall height of the building.
 - d. Future Turf-field parking lot: The future parking lot just east of the existing turf-recreation field is planned for a fourth location for a multi-panel array of solar cells. These panels are similar in concept as the University Commons parking lot where no loss in the number of parking spaces will occur. These panels will setback a minimum of 24 feet from the property line with EMHS in order to allow for a two-way access drive as part of a future parking lot.
9. Institutional Overlay addition: Eastern Mennonite University proposes to add 1110 Park Road (TM: 48-H-2, 48-H-3) into the institutional overlay district. The square footage area is approximately 19,244 square feet.

Item 3:

Existing and proposed parking is illustrated in the attached Master Plan. Because of the current campus configuration, new parking may not occur at the new buildings or additions, but be accommodated at another location on the campus. Parking areas will be landscaped with appropriate trees and shrubs in compliance with City Ordinances. The current master plan for existing and future parking is showing 1,690 spaces. University officials have deemed this number of spaces to be adequate for their current planned needs. If additional parking is needed in the future, existing open areas may be utilized upon an amendment to the Master Plan.

The existing vehicular access to the campus will remain the same. There are currently eight points from adjacent public streets: two from Park Road, two from Mt. Clinton Pike, one from Smith Street, one from College Avenue, one from Dogwood Drive, and from Parkwood Drive. It is not anticipated that the additional facilities will place a significant additional burden on the adjacent vehicular system.

Item 4:

The general use of major existing and proposed open space on site will be used for:

- Landscaping
- Recreation
- stormwater detention
- pathways
- woodlands
- green space

The proposed Welcome Center is currently situated approximately 65 feet from the property line on College Avenue, and approximately 80 feet off Mt. Clinton Pike.

The future Academic Building-South will be placed approximately 20 feet off the property line on College Avenue, and approximately 90 feet off Mt. Clinton Pike.

The future Academic Building-North will be placed approximately 517 feet from the Park Road right-of-way.

The proposed Lehman Auditorium Addition will be situated east of the existing facility approximately 365 feet from the Park Road right-of-way.

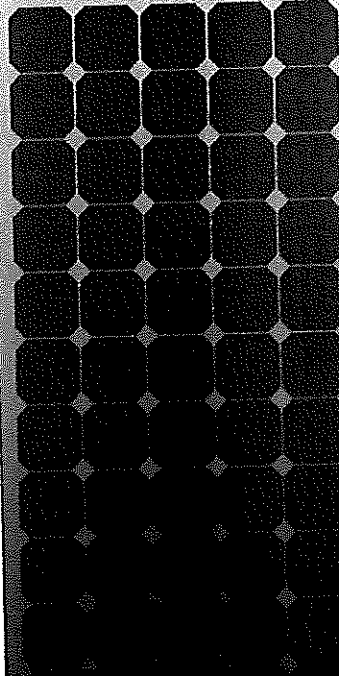
The proposed Hartzler Library Addition will be situated south of the facility approximately 110 feet from the Park Road right-of-way.

The proposed Kitchen/Dining Addition at Northlawn Dormitory will be situated approximately 365 feet from the Park Road right-of-way.

The proposed Suter Science Center Addition will be approximately 425 feet from the east property line, shared with Eastern Mennonite High School.

It is understood that this submission is for Master Plan review and approval only, and that each individual project will require its own approval according to the provisions of the City's development regulations. Furthermore, it is acknowledged that there is limited capacity for adequate fire flow and domestic water delivery in this area and improvements necessary to meet these requirements will be determined during the design and review of specific building proposals, or as part of a broader water system analysis, as appropriate.

SUNPOWER™



SunPower – Best Technology

Benefits of T5, T10, PowerGuard

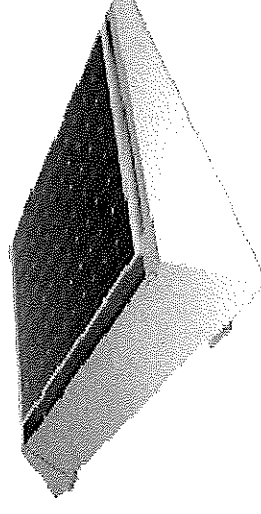
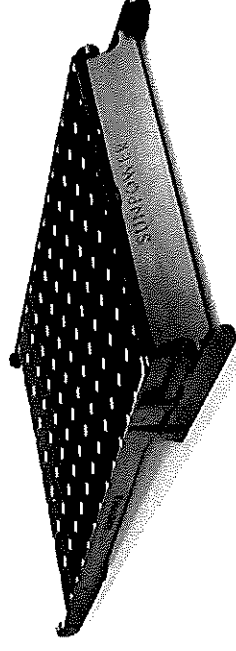
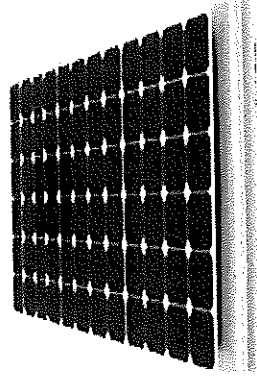
What is value of SunPower's commercial roof products unique attributes?

- High power density
- Light weight designs
- Minimal pieces & interlocking
- Faster to install & uninstall
- Compatible with high winds
- Non-penetrating / self-ballasted

→ Value of avoiding leaks

→ Value of insulation (PowerGuard)

→ Value of roof preservation

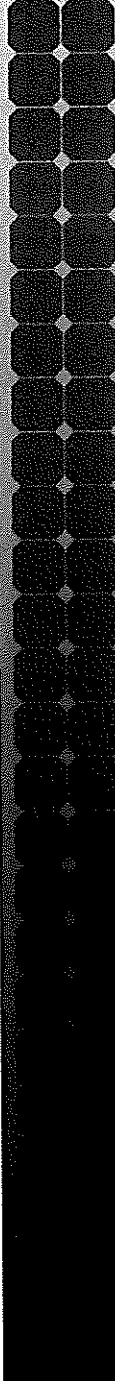


SUNPOWER™

Installed T10 System – Wal-Mart Chino



SUNPOWER™



SUNPOWER™

T5 SOLAR ROOF TILE

SIMPLE INSTALLATION & GREATEST ENERGY OUTPUT

BENEFITS

The Most Energy per Rooftop

Produces more energy in an area- or weight-constrained space than any other roof system available today

Easy to Install with All-In-One Design

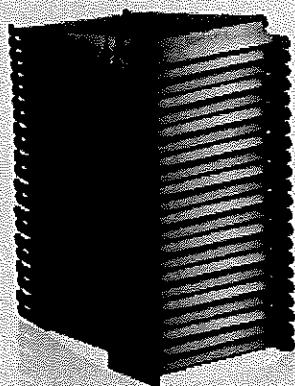
Solar panel, frame, and mounting system are integrated into one unit. No grounding or roof penetration needed

Roof-Preserving

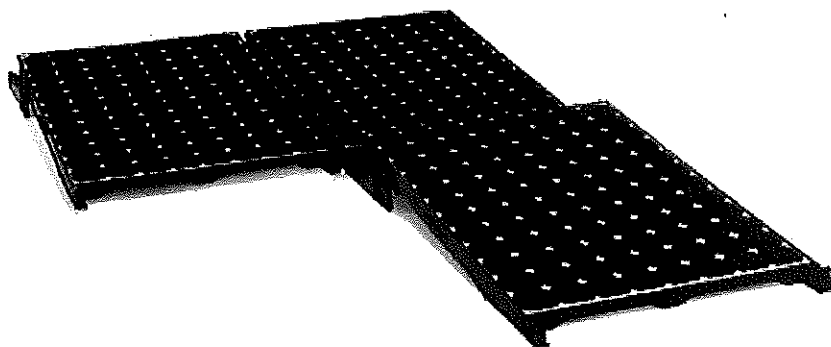
Compatible with all roof membranes. Smooth, lightweight design, combined with a non-penetrating installation, protects the roof and preserves roof warranties

Long Lasting Durability

Aerodynamic design is resistant to high winds. Strong glass-filled polymer material offers long-term durability. Soiling is minimized with easy water runoff



ships nested in pallets



The SunPower™ T5 Solar Roof Tile is the most powerful solution for area- or weight-constrained flat rooftops. The T5 is the first photovoltaic roof product to combine solar panel, frame, and mounting system into a single pre-engineered unit. The nonpenetrating tiles position SunPower highest efficiency solar panels at a 5-degree tilt, for greatest energy production.

Tiles interlock for secure, rapid installation and maximum power output. Smooth-edged, durable and lightweight polymer material designed for a 30-year life protects the roof and eliminates the need for electrical grounding. The patented design resists high winds and corrosion and is flexible to adapt to virtually any flat or low-slope roof.

Highlights

Solar Laminates	305	315
Peak Watts / ft ² (m ²) [array]	14.59 (157)	15.25 (164.2)
Average Array Weight, lbs/ft ² (kg/m ²)	2.18 (10.64)	
Wind Resistance, mph (kph)	120 (193)	

About SunPower

SunPower designs, manufactures and delivers high-performance solar electric technology worldwide. Our high-efficiency solar cells generate up to 50% more power than conventional solar cells. Our high-performance solar panels, roof tiles and trackers deliver significantly more energy than competing systems.

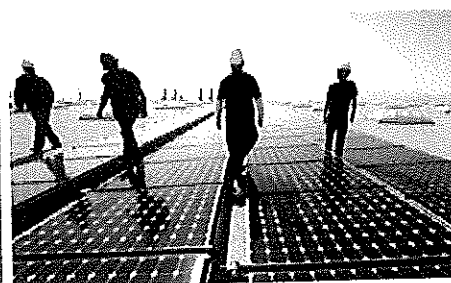
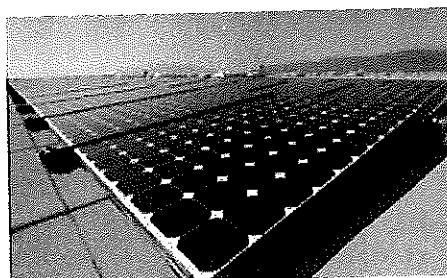
SUNPOWER™ T5 SOLAR ROOF TILE



SUNPOWER™

T5 SOLAR ROOF TILE

EXCEPTIONAL EFFICIENCY & PERFORMANCE



Electrical Data

Measured at Standard Test Conditions (STC): Irradiance 1000W/m², AM 1.5, and cell temperature 25° C

Peak Power *	P _{max}	305 W (±5%)	315 W (±5% / -3%)
Rated Voltage	V _{mpp}	54.7 V	54.7 V
Rated Current	I _{mpp}	5.58 A	5.76 A
Open Circuit Voltage	V _{oc}	64.2 V	64.6 V
Short Circuit Current	I _{sc}	5.96 A	6.14 A
Maximum System Voltage	UL	600 V	
Temperature Coefficients	Power Voltage (V _{oc}) Current (I _{sc})	-0.38% / K -176.6 mV / K 3.5 mA / K	
NOCT		45° C +/- 2° C	
Series Fuse Rating		15 A	

Tested Operating Conditions

Temperature	-40° F to +185° F (-40° C to +85° C)
Max load	50 psf 245kg/m ² (2400 Pa) front and back – e.g. wind
Impact Resistance	Hail 1 in (25 mm) at 52mph (23 m/s)

*Other laminates may be available upon request

Mechanical Data

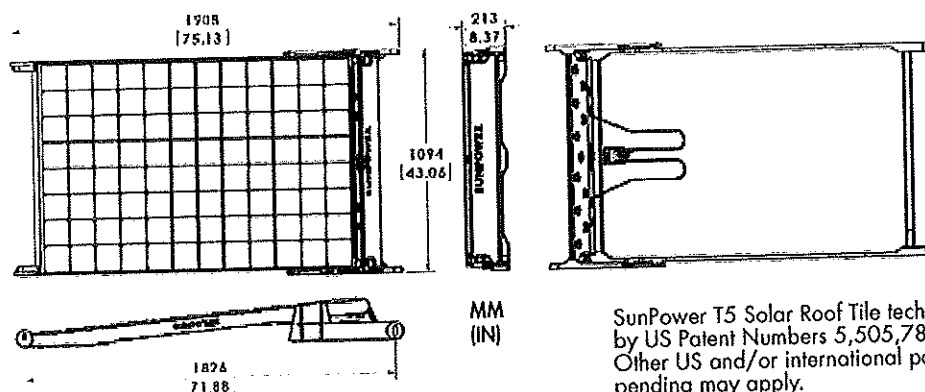
Solar Laminate	SunPower™ 305 Solar Laminate, or SunPower 315 Solar Laminate
Solar Cells	96 SunPower all-back contact monocrystalline
Front Glass	SunPower 305 Solar Laminate: High transmission tempered glass SunPower 315 Solar Laminate: High transmission tempered glass with anti-reflective (AR) coating
Junction Box	IP-65 rated with 3 bypass diodes, 32 x 155 x 128 (mm)
Output Cables	1000 mm length cables / MultiContact (MC4) connectors
Frame	Polymer material with fiber reinforcement, PPE+PS
Tile Weight	47 lbs (21.3 kg)
Roof Coverage	85% N-S

Warranties and Certifications

Warranty	25-year limited power warranty 10-year limited product warranty
Certifications	CSA listed (Tested to UL 1703), Class C Fire Rating

Built in the USA. Complies with the "Buy American" clause of The American Recovery and Reinvestment Act of 2009.

Dimensions



SunPower T5 Solar Roof Tile technology is protected by US Patent Numbers 5,505,788 and RE 38,988. Other US and/or international patents issued or pending may apply.

CAUTION: READ SAFETY AND INSTALLATION INSTRUCTIONS BEFORE USING THE PRODUCT.
Visit sunpowercorp.com for details.

SUNPOWER and the SUNPOWER logo are trademarks or registered trademarks of SunPower Corporation.
© September 2009 SunPower Corporation. All rights reserved. Specifications included in this datasheet are subject to change without notice.

sunpowercorp.com
Document # 001-53716 Rev*A/LTR_EN

SUNPOWER™

T10 SOLAR ROOF TILE

TILTED FOR HIGHER ENERGY OUTPUT

BENEFITS

Optimized Energy Output

Higher energy delivery due to 10 degree tilt and sunlight reflectors

Non-Penetrating

Modular solar tiles are easy to install without mechanical roof attachments

Deploys Rapidly

Large-scale solar arrays can be installed efficiently and commissioned quickly

Integrates Seamlessly

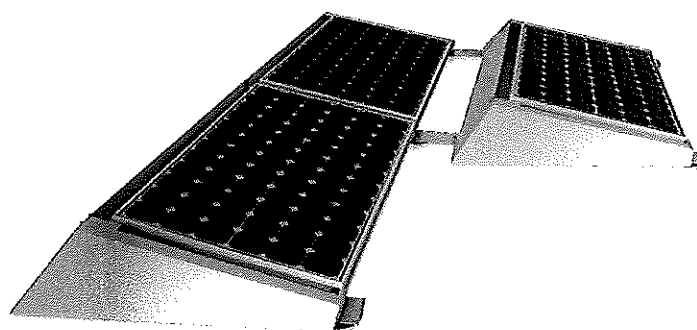
Low-profile design blends into flat roof and flat ground sites, while operating within existing electrical network

Non-Obstructive

Solar tiles will not interfere with roof operations or drainage

Highly Wind Resistant

Engineered for aerodynamic stability means no roof attachments in typical wind zones



The SunPower™ T10 Solar Roof Tile is pre-engineered to tilt at a 10-degree angle and enhance energy capture. These non-penetrating roof tiles interlock for secure, rapid installation. Made of durable, lightweight materials, the patented design resists high winds and corrosion and is uniquely flexible to adapt to the size and requirements of virtually any flat rooftop and select ground sites.



SUNPOWER™ T10 SOLAR ROOF TILE

Highlights

Solar Panels	305	230
Peak Watts / ft² (m²) [array]	11.64 [125.31]	10.48 [112.77]
Average Array Weight, lbs/ft² (kg/m²)	2.52 [27.13]	2.12 [22.78]
Wind Resistance, mph (kph)	120 [193]	

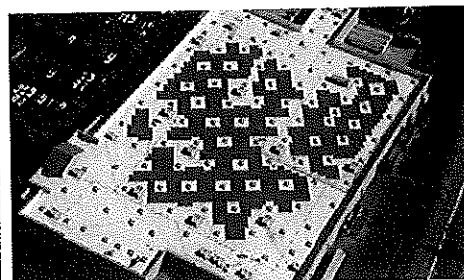
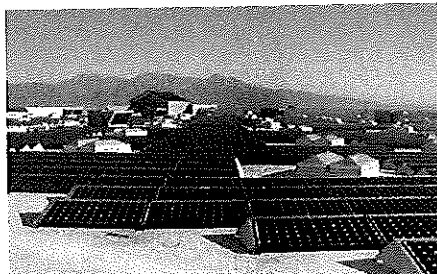
About SunPower

SunPower designs, manufactures and delivers high-performance solar electric technology worldwide. Our high-efficiency solar cells generate up to 50% more power than conventional solar cells. Our high-performance solar panels, roof tiles and trackers deliver significantly more energy than competing systems.

SUNPOWER™

T10 SOLAR ROOF TILE

TILTED FOR HIGHER ENERGY OUTPUT



Electrical Data

Measured at Standard Test Conditions (STC): Irradiance 1000 W / m², AM 1.5, and cell temperature 25° C

Peak Power (±5%)*	P _{max}	230 W	305 W
Rated Voltage	V _{mpp}	41.0 V	54.7 V
Rated Current	I _{mpp}	5.61 A	5.58 A
Open Circuit Voltage	V _{oc}	48.7 V	64.2 V
Short Circuit Current	I _{sc}	5.99 A	5.96 A
Maximum System Voltage	UL	600 V	600 V
Temperature Coefficients	Power	-0.38% / K	-0.38% / K
	Voltage (V _{oc})	-132.5mV / K	-176.6 mV / K
	Current (I _{sc})	3.5mA / K	3.5 mA / K
NOCT		45° C +/2° C	45° C +/2° C
Series Fuse Rating		20 A	15 A

Tested Operating Conditions

Temperature	-40° F to +185° F (-40° C to +85° C)
Max load	SPR-230-WHT and SPR-305-WHT: 50 psf 245kg/m ² (2400 Pa) front and back – e.g. wind
	SPR-230-WHT: 113 psf 550kg/m ² (5400 Pa) front – e.g. snow
Impact Resistance	Hail 1 in (25 mm) at 52mph (23 m/s)

Mechanical Data

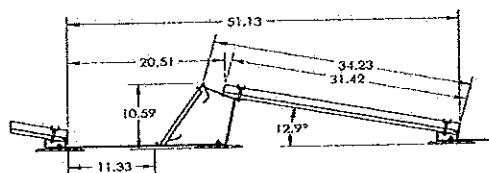
Solar Panels	SunPower™ 230 Solar Panels (SPR-230-WHT), or SunPower™ 305 Solar Panels (SPR-305-WHT)
Solar Cells	SPR-230-WHT: 72 all-back contact monocrystalline, SPR-305-WHT: 96 all-back contact monocrystalline
Front Glass	High transmission tempered glass
Junction Box	IP-65 rated with 3 bypass diodes Dimensions: 32 x 155 x 128 (mm)
Output Cables	1000 mm length cables / MultiContact (MC4) connectors
Solar Panel Frame	SPR-230-WHT: anodized aluminum alloy type 6063, black SPR-305-WHT: anodized aluminum alloy type 6063, silver, stacking pins
Mounting System	Wind deflectors: 24 gauge Galvalume coated steel
	Supports: 5052-H32 Aluminum plate
	Fasteners: 300-series stainless steel Foot pads: EPDM rubber, molded on aluminum plate
Total Weight Per System Tile	SPR-230-WHT: 46.46 lbs (21.07 kg) SPR-305-WHT: 66.03 lbs (29.95 kg)

Warranties and Certifications

Warranty	25-year limited power warranty 10-year limited product warranty
Certifications	Tested to UL 1703, Class C Fire Rating

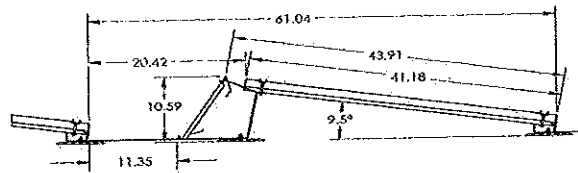
*Other solar panels may be available upon request

Dimensions



SUNPOWER 230

PV GCR: 0.61
SHADING GCR: 0.67
DIMENSION: 51.13 N-S X 62.31 E-W
AREA PER MODULE: 22.1 SQ. FT.

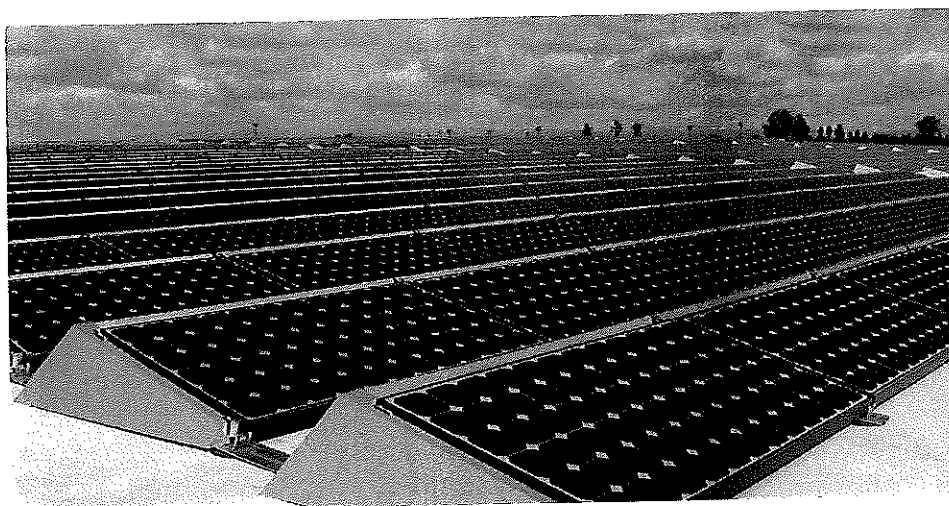


SUNPOWER 305

PV GCR: 0.67
SHADING GCR: 0.72
DIMENSIONS: 61.04 N-S X 62.31 E-W
AREA PER MODULE: 26.4 SQ. FT.

CAUTION: READ SAFETY AND INSTALLATION INSTRUCTIONS BEFORE USING THE PRODUCT.
Visit sunpowercorp.com for details.

Donaghy Powers 90% of Its Facility & Saves \$250,000 a Year with SunPower



PROJECT OVERVIEW

Location: Fresno, California

Completed: 2007

Installation Type: Commercial Roof

System Size: 1 Megawatt

PV Surface Area: 175,000 sq ft

Number of Panels: 4,716

Products: SunPower® T10 Solar Roof Tiles

Companies including Anheuser Busch depend on Fresno-based wholesale distributor Donaghy Sales to keep their beverages cold and fresh.

Donaghy, in turn, depends on its utility company to maintain a constant, 43-degree warehouse temperature for its cold storage needs. Rising electricity rates and the risk of peak-demand blackouts in California prompted the company to investigate lower cost solutions, which led them to solar power. Donaghy ultimately contracted with SunPower to design and install their 1 MW solar electric system because of SunPower's proven track record in delivering large-scale solar systems. Today the warehouse distributor's rooftop system powers more than 90 percent of Donaghy's facility and saves the company approximately \$250,000 a year in electricity costs.

BENEFITS

- Powers more than 90% of Donaghy's cold-storage distribution facility
- Saves Donaghy over \$250,000 a year in electricity costs
- Reduces strain and feeds energy back to the utility grid during peak-demand daytime hours
- Will reduce carbon emissions by 12,180 tons over 30 years, equivalent to not driving over 30 million miles.

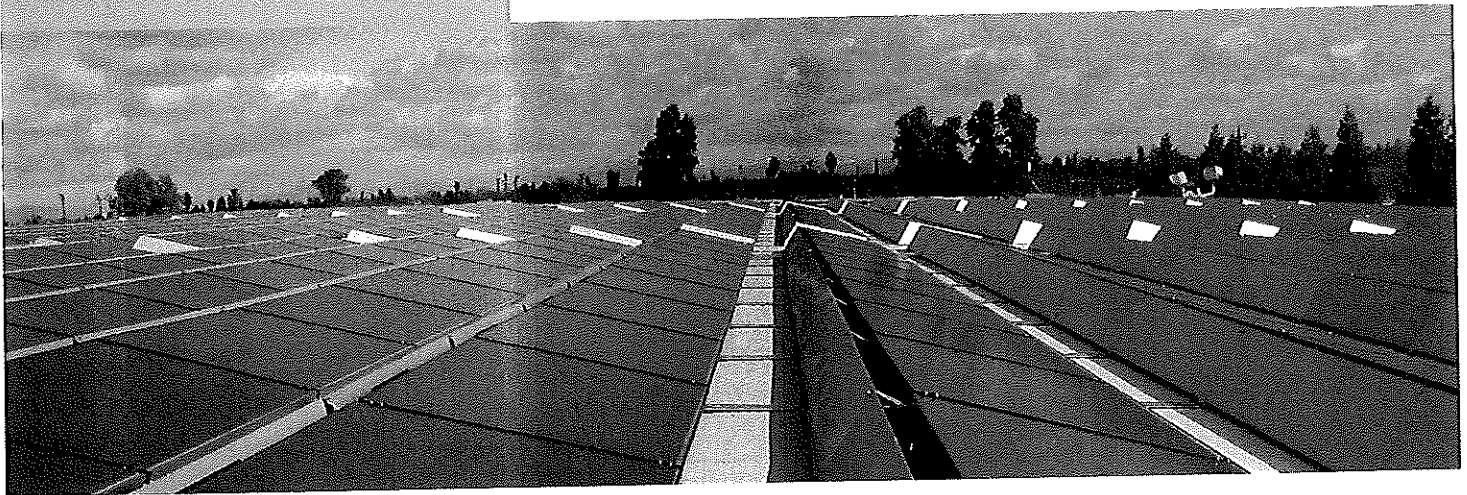
"SunPower delivered a premier product on time and on budget.

Their professionalism was clear from the outset, and their continued service has enabled a strong partnership. We're very pleased with how our system has performed, and with our impressive financial return."

Ryan Donaghy,
President, Donaghy Sales

DONAGHY TRANSLATES LARGE ROOF INTO LARGE SAVINGS

Hot, sunny climate. Rising electricity rates. Where other food & beverage distributors might see an unpleasant challenge, Donaghy's chief financial officer Scott Tolzmann saw an opportunity. "We had a lot of roof space and large electric bills, and I thought solar power would make good economic sense," Tolzmann said. In 2006, after considering a few solar power companies, Donaghy decided to work with SunPower. "SunPower impressed us most with their ability to perform," Tolzmann said. "They also had the best track record in the industry and the most experience developing bigger systems like ours."



SUNPOWER COMPLETES SOLAR SYSTEM ON TIME, EARNING DONAGHY SIGNIFICANT TAX CREDITS

A long-lasting, low-maintenance system, the 4,716-panel, 1 megawatt T10 solar roof system was completed on time by the end of 2006, allowing Donaghy to claim significant tax benefits. The T10 system is so-named because it tilts at ten degrees, providing a much higher energy output than other, flat rooftop systems.

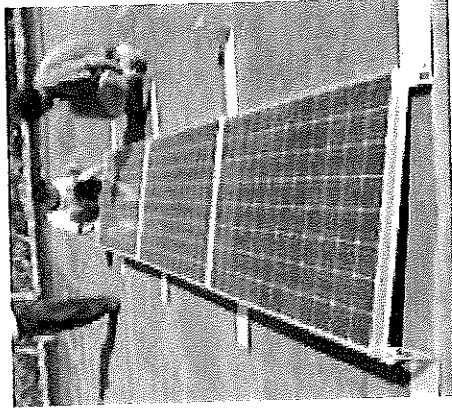
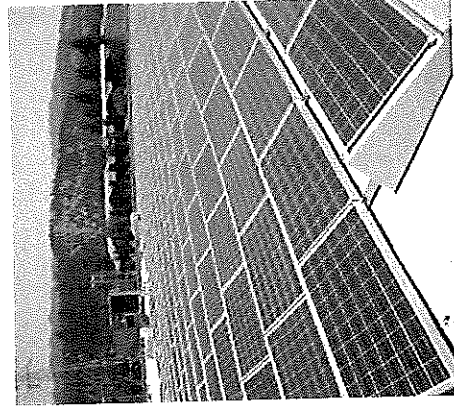
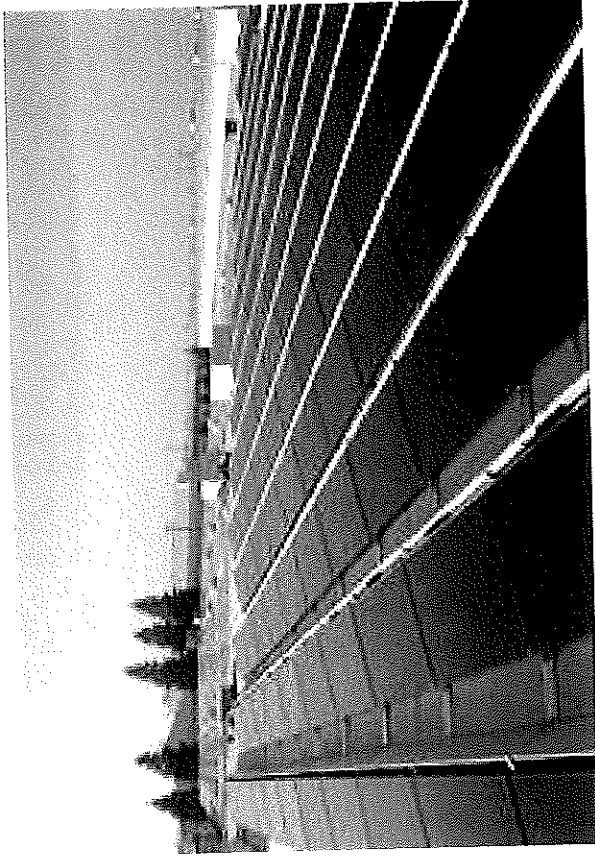
DONAGHY POWERS MORE THAN 90% OF ITS FACILITY WITH SUNPOWER

Powering more than 90% of Donaghy's facility and saving the company approximately \$250,000 a year, the solar system continues to perform reliably, as expected. In fact, during the common summertime blackouts caused by high energy demands in the Fresno area, Donaghy takes pride in sending surplus solar energy back into the strained grid. "It feels good to be in that position, sending power back instead of contributing to blackouts," Tolzmann said. Tolzmann advises companies to consider all the benefits of solar power—electricity savings, state rebates, and federal tax incentives—as collectively they contribute to making solar a sound and cost-effective investment.

SunPower Corporation
1-866-737-6527
sunpowercorp.com

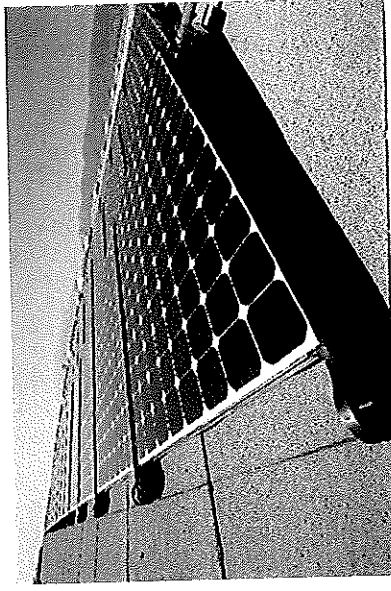
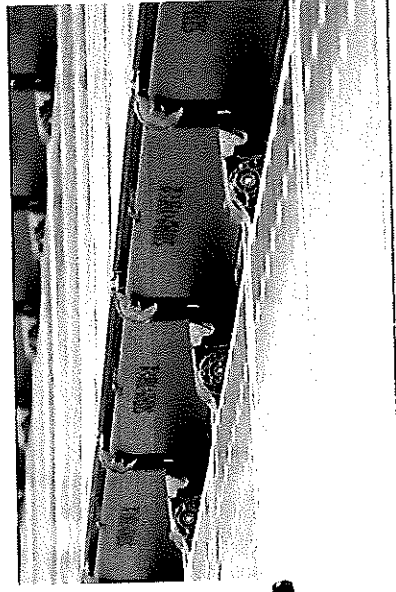
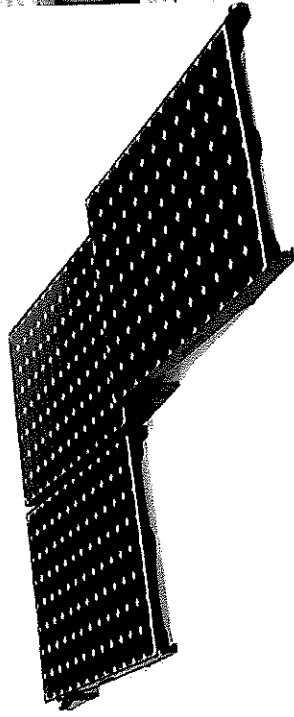
T10 Solar Roof Tile

- Patented next-generation commercial roofing system
- 10 degree slope
- No roof penetrations
- Accessible walkways
- Rated wind speed: 120 mph
- Ultra lightweight: 2.1 lb/ft²
- Fast-install system



SunPower T5 Solar Roof Tile

Benefits



Pre-engineered all-in-one solution

Product video: [View Now](#)

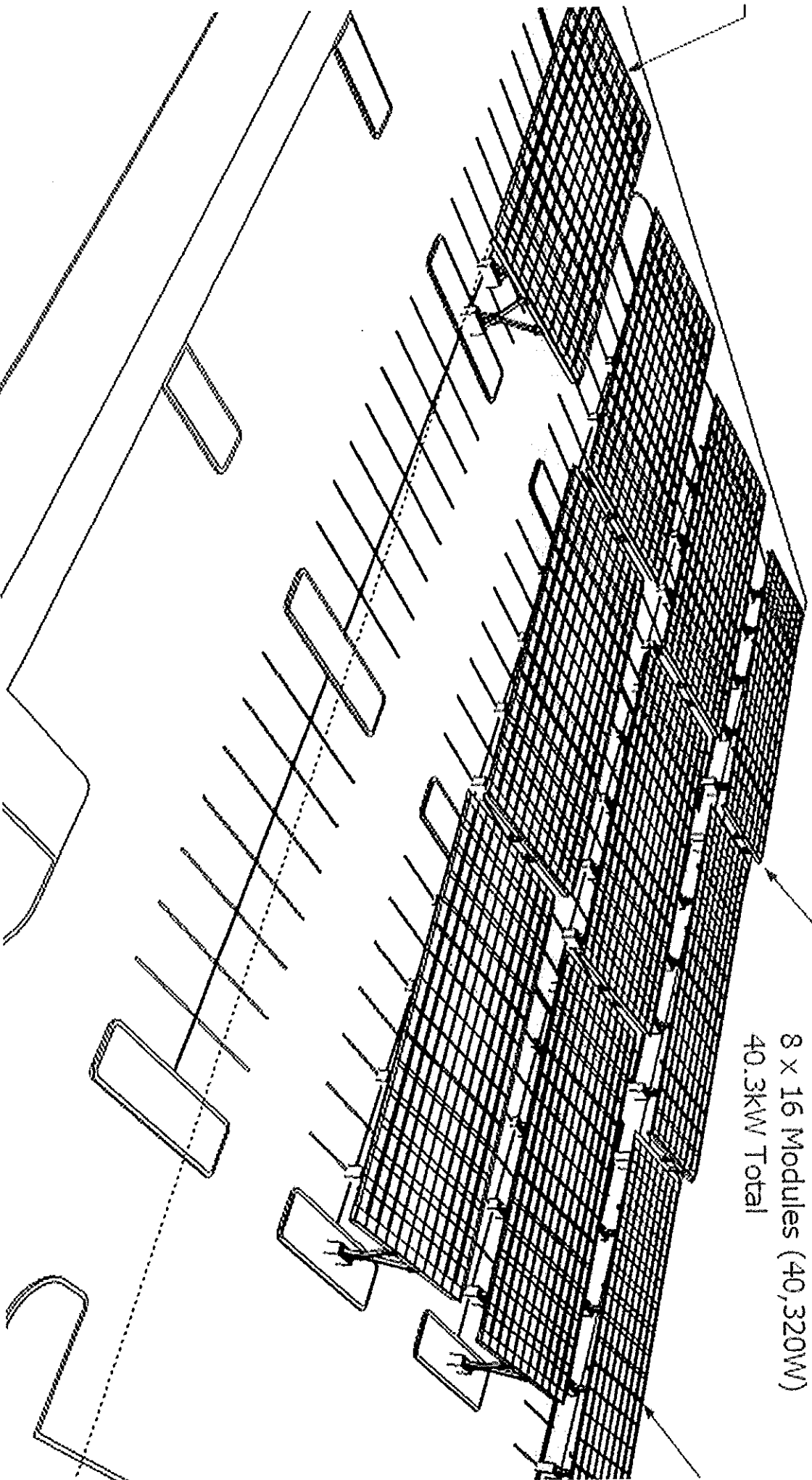
- 1 Highest efficiency panels tilted at 5°
- 2 Easy to install, all-in-one design
- 3 Panel and mounting combined into one
- 4 No roof penetration
- 5 No grounding required, due to smooth polymer material
- 5 Durable, lightweight, aerodynamic

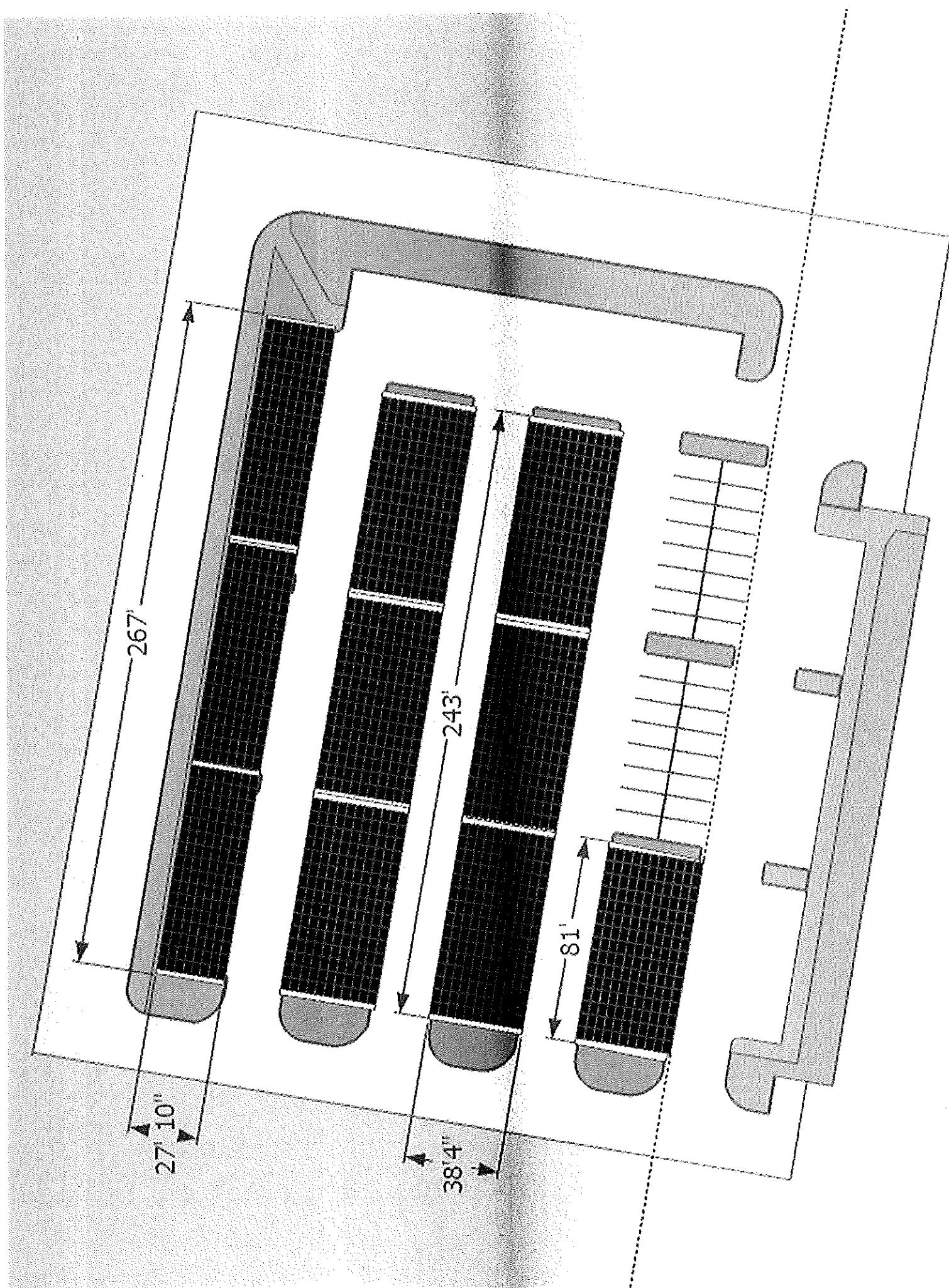
SUNPOWER™

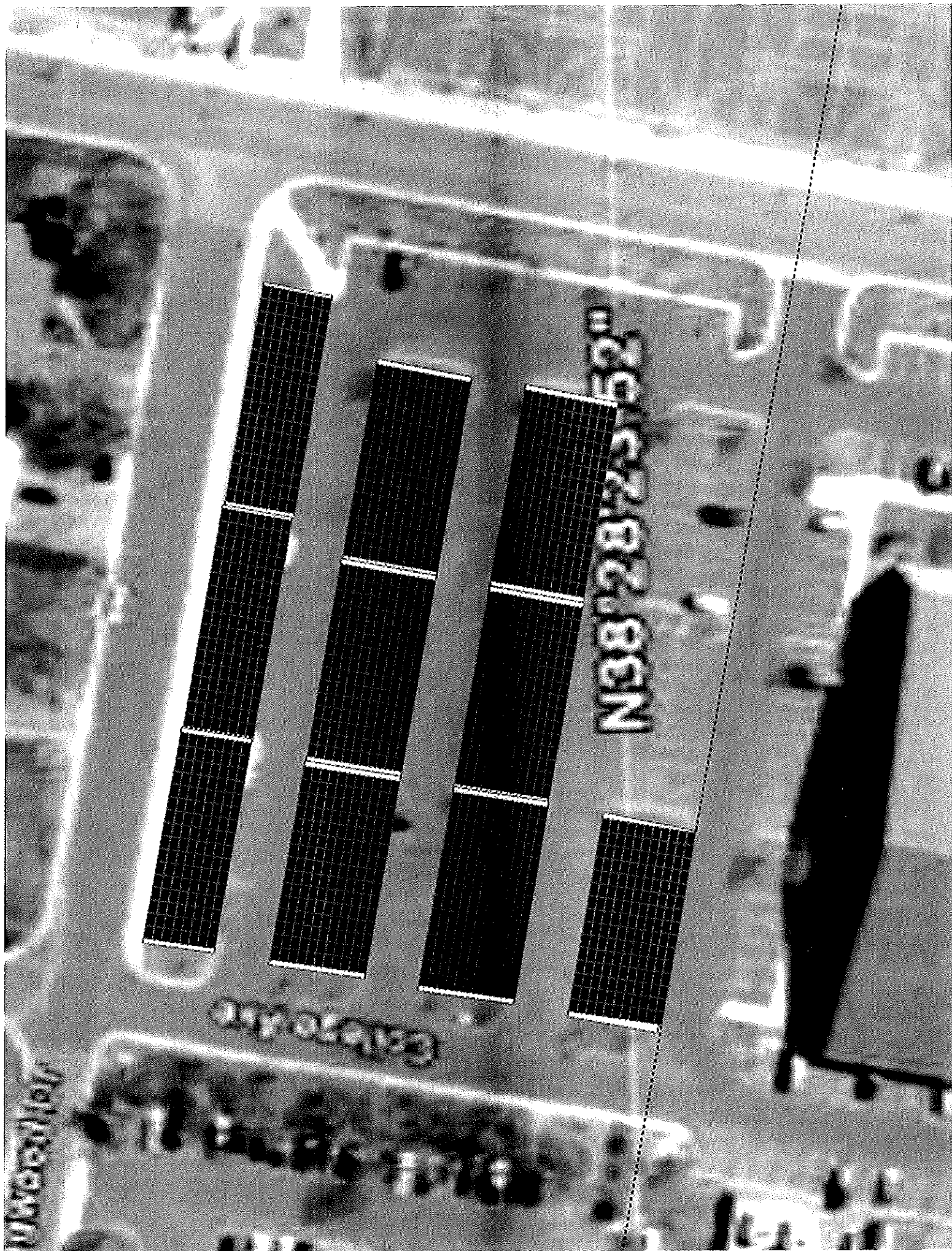
Eastern Mennonite University Solar PV Carport Concept System Size = 490kW

Sunpower 315W

Single Row Canopy
Qty 1
8 x 16 Modules (40,320W)
40.3kW Total







N38°28'25"52"

Calto 410

10/12/2010

Date Application Received: 02-09-10

Total Paid: \$1,400.00 AF

Application for Change of Zoning District City of Harrisonburg, Virginia

Section 1: Property Owner's Information

Name: Eastern Mennonite University (Attn: Ron Piper)
Street Address: 1200 Park Road Email: _____
City/State/Zip: Harrisonburg, VA 22802
Telephone (work): 540-432-4107 (home or cellular): _____ (fax): 540-432-4444

Section 2: Owner's Representative Information

Name: Blackwell Engineering, PLC (Attn: Ed Blackwell)
Street Address: 566 East Market Street Email: Ed@BlackwellEngineering.com
City/State/Zip: Harrisonburg, VA 22801
Telephone (work): 540-432-9555 (home or cellular): _____ (fax): 540-434-7604

Section 3: Description of Property

Location (street address): 1200 Park Road, 1110 Park Road, 1194 Park Road
Tax Map Number: Sheet: 51 Block: A Lot: 1 Total Land Area (acres or square feet): 42.9 acres
Existing Zoning District: R-3, R-3 Inst. Overlay Proposed Zoning District *: (48-H-3) Inst. Overlay
Existing Comprehensive Plan Designation: Institutional (51-A-1 & 48-H-4) Residential (48-H-3)

**If applying for conditional rezoning, provide a letter stating proffers on separate sheet of paper*

Section 4: Application Fee

\$325.00 plus \$25.00 per acre, and if applicable, Fees for a Traffic Impact Analysis (TIA) Review (see below)

- (a) Would the development from this rezoning require a Traffic Impact Analysis by VDOT?
Yes _____ No X

If yes, then fees must be made payable to VDOT to cover costs associated with the TIA review.

PLEASE NOTE – If a TIA is required, this application shall not be considered accepted until the TIA has been reviewed.

- (b) Would the development from this rezoning require a Traffic Impact Analysis review by the City?
Yes _____ No X

If yes, then an additional \$1,000.00 must be made payable to the City to cover costs associated with the TIA review.

PLEASE NOTE – If a TIA is required, this application shall not be considered accepted until the TIA has been reviewed.

Section 5: Names and Addresses of Adjacent Property Owners (Use separate sheet for additional names)

North: See Attached
East: _____
South: _____
West: _____

Section 6: Certification

I certify that the information contained herein is true and accurate. Signature: _____

Ronald E. Piper
VP for Finance
Property Owner
EASTERN MENNONITE UNIVERSITY

See Back for Items Required for Submission



AGENDA ITEM # 8

AGENDA ITEM ACTION REQUEST

	Meeting Date: April 13, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Item: Public Hearing - Consider amending the Zoning Ordinance for corrections and updates within Sections 10-3-5, 16, 25, 48.3, 120, 122, & 123.
Reviewed: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Review: Planning Commission recommended approval (5-0), of the ordinance amendments.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	
April 13, 10	Attachments: 1. Public Hearing notice. 2. Planning Commission extracts and other supporting documents.

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold a public hearing on **Tuesday, April 13, 2010 at 7:00 p.m.**, in the City Council Chambers, 409 South Main Street to consider the following:

Rezoning – 1351 North Main Street (HRCSB)

Public hearing to consider a request from the Harrisonburg-Rockingham Community Services Board to rezone a 0.456 +/- acre parcel zoned B-2C, General Business District Conditional by amending their proffers. The parcel is located at 1351 North Main Street and can be found on tax map 42-B-4. The Comprehensive Plan designates this area as Public / Semi-Public. This designation includes both existing and proposed public and semi-public use. They include lands owned or leased by the Commonwealth of Virginia (except for institutions of higher learning), the federal government, the City of Harrisonburg, and other governmental organizations. Examples of uses included in this category are public schools, libraries, City Hall and City administrative and support facilities. The Zoning Ordinance states that the B-2, General Business District is intended to provide sufficient space in appropriate locations for a wide variety of retail shopping, commercial, automotive, miscellaneous recreational, and service activities. No minimum lot size restrictions exist in the B-2, General Business District.

Rezoning – EMU Master Plan Change 2010

Public hearing to consider a request from Eastern Mennonite University to rezone 42.9 +/- acres of their property zoned R-3, Multiple Dwelling Residential District and I-1, Institutional Overlay District by adding a parcel and amending their master plan. The properties are located along Park Road, West Dogwood Drive, and Parkwood Drive and can be found on tax maps 48-H-3 & 4 and 51-A-1. The Comprehensive Plan designates this area as Institutional. These lands are designated for development by certain nonprofit and public institutional uses such as colleges and universities, hospitals, offices of nonprofit organizations, community assembly uses and institutions which provide for the shelter and care of people. The Zoning Ordinance states that the R-3, Multiple Dwelling Residential District is intended for medium- to high-density residential development and other uses intended to respect the residential character, which are aesthetically compatible within the district by means of architectural expression, landscaping, and restrained traffic flow. The residential density ranges for R-3 are single-family, 6,000 sq. ft. minimum; two-family, 4,000 sq. ft./unit; multi-family, 3,000 sq. ft. minimum per unit; townhouses, 2,000 sq. ft. minimum per unit; and other uses, 6,000 sq. ft. minimum. The I-1, Institutional Overlay District is intended to provide for orderly development of certain nonprofit institutional uses and is created as a special overlay district to be superimposed on base districts by approval of City Council. Dimensional and density regulations are intended to supplement those permitted in the underlying zoning classification.

Ordinance Amendments – Zoning Ordinance Amendments Sections 10-3-5, 16, 25, 48.3, 120, 122, & 123.

Public hearing to consider amending the Zoning Ordinance for corrections and updates within Sections 10-3-5, 16, 25, 48.3, 120, 122, & 123.

Maps and other information are available for review in the Community Development Department, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m.

All persons interested will have an opportunity to express their views at these public hearings. Any individual requiring auxiliary aids, including signers, in connection with the public hearing shall notify the Planner at 432-7700 at least five days prior to the date of the meeting.

CITY OF HARRISONBURG
Kurt D. Hodgen
City Manager



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

409 South Main Street

Harrisonburg, Virginia 22801

Website: <http://www.harrisonburgcommdev.com/>

Telephone: (540) 432-7700 Fax: (540) 432-7777

April 6, 2010

TO THE MEMBERS OF CITY COUNCIL

CITY OF HARRISONBURG, VIRGINIA

SUBJECT: Public hearing to consider amending the Zoning Ordinance for corrections and updates within Sections 10-3-5, 16, 25, 48.3, 120, 122, & 123.

EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING HELD ON: March 10, 2010.

Chairman Jones read the request and asked staff to review.

Mr. Fletcher said staff is proposing modifications to several sections of the Zoning Ordinance for general updates and also to make revisions where word choice and other inaccuracies mislead zoning interpretations. Each modification is described below.

Section 10-3-5 of the Zoning Ordinance lists the zoning districts that Harrisonburg regulates. The existing list is shown as follows:

R-1	Single-Family Residential District.
R-2	Residential District.
R-3	Multiple Dwelling Residential District.
R-4	Planned Unit Residential District.
R-5	Planned Single-Family Residential District.
MH-1	Manufactured Home Park District.
MH-2	Manufactured Home Subdivision District.
B-1A	Local Business District.
B-1	Central Business District
B-2	General Business District
M-1	General Industrial District
I-1	Institutional Overlay District

As you can see, this list has been out of date for some time as it does not include the U-R or R-P districts, which were added in 2001, and it displays an R-5, Planned Single Family Residential District, which has not been part of the Zoning Ordinance since 1998. Staff would like to update this section to depict the changes made to R-3 and to show the recently adopted districts, which include R-5, R-6, R-7, and the MX-U district. Staff recommends amending this section for the list to appear as follows:

R-1	Single-Family Residential District.
R-2	Residential District.
R-3	Multiple Dwelling Residential District.
R-3	Medium Density Residential District.
R-4	Planned Unit Residential District.

R-5	High Density Residential District.
R-6	Low Density Mixed Residential Planned Community District.
R-7	Medium Density Mixed Residential Planned Community District
MX-U	Mixed Use Planned Community District
MH-1	Manufactured Home Park District.
MH-2	Manufactured Home Subdivision District.
B-1A	Local Business District.
B-1	Central Business District
B-2	General Business District
M-1	General Industrial District
I-1	Institutional Overlay District
U-R	Urban Residential District
R-P	Residential-Professional District

Section 10-3-16 is within Article D, which explains the regulations for site plan reviews. Specifically, 10-3-16 (e) describes the length of time that approved site plans are valid. The existing regulation explains that approved site plans shall expire and become null and void unless a building permit is issued within one year. This section of the Zoning Ordinance has been superseded by the Code of Virginia for several years as the state code specifies that site plans are valid for five years. Staff recommends this section be updated to accurately display the site plan validation period. This section would be modified as shown:

(e) An approved site plan shall expire and be null and void unless a building permit for the construction of the same substantial elements of the site plan has been issued within a period of ~~one year~~ *five years*.

Staff would like to make two, very small yet important modifications to Section 10-3-25 (3) of the Zoning Ordinance. This part of the Code defines the requirements for landscaping within parking lots. Currently, this section reads as follows:

(3) Definition of "Landscaping for Parking Lots": All parking lots for new buildings other than industrial sites requiring more than ten (10) parking spaces shall include well-defined and well maintained landscaped areas equal to at least fifteen (15) percent of the total area to be used for parking, maneuvering and driveways on site. Parking spaces shall be separated from all right-of-way lines and property lines by a landscaped border not less than ten (10) feet in width or appropriate visual elements such as walls or fencing, except along adjoining lot lines which lie within a shared parking arrangement approved by a special use permit allowing for a zero side yard setback. Landscaping interior to the parking area or within a thirty-foot perimeter of the parking area shall be permitted to count towards meeting the fifteen (15) percent requirement. It is required that hardy trees or shrubs which are regional species be planted or saved, and that all plantings and ground cover be either maintained or replaced.

The amendments would only occur within the first sentence and would include adding two commas. Currently, if one reads the first sentence there is more than one interpretation that can be drawn; however, staff has always interpreted this first sentence to mandate landscaping for parking lots for all developments that require more than 10 parking spaces, except those within industrial sites. For this reason, staff recommends more clearly demonstrating this regulation by placing a comma after the word "buildings" and by placing an additional comma after the word "sites."

Section 10-3-48.3 lists the uses permitted by right within the recently adopted R-3, Medium Density Residential District. Specifically, subsection (10) permits hospitals, convalescent or nursing homes, funeral homes, medical offices and professional offices as defined by article T. Unfortunately, when the R-3 Medium Density district was approved, staff overlooked the wrong article reference. Subsection (10) should reference article “F,” the definitions portion of the Zoning Ordinance and not article “T,” which is the Modifications and Adjustments section. Staff simply recommends changing the article reference from “T” to “F.”

Section 10-3-120 is within Article U, which specifies the procedures and other regulations pertaining to amendments to the Zoning Ordinance. This section specifically grants the Planning Commission the authority to have a rehearing for properties that have been rezoned but have not initiated their plan of development within two years. Section 10-3-120 reads as follows:

Each request for amendment to this chapter, including the zoning map, shall be accompanied by a “plan of development” for the property included in the request, and shall have been reviewed by all applicable city officials before submission to the planning commission. If the application for rezoning is granted following the required public hearing procedure outline in section 10-3-105, the plan of development must be started within a period of two (2) years, and the proposed structure or structures, parking facilities, plantings and other landscaping must follow the plan of development introduced during the rezoning hearing. The planning commission will have a rehearing if the plan of development is not underway within two (2) years.

To staff’s knowledge, this section of the Zoning Ordinance has never been enforced and could arguably be illegal. We further believe this type of regulation is inequitable and burdensome on the property owner. Staff recommends removing this entire regulation and to reserve this section for future use.

Section 10-3-122, found within Article U Amendments and Changes, specifies details regarding rezoning application withdrawals. The text, intentions, and requirements put forth in this section are accurate except for the section reference at the end of the paragraph. At this time, Section 10-3-122 reads as follows:

Applications for a change in zoning may be withdrawn from consideration before the first notice of a public hearing thereon has been published and fees refunded if no publication cost is incurred. Application for a change in zoning which are withdrawn after the end of the public hearing shall be considered as denied for the purpose of one-year limitation or reconsideration as provided in section 10-3-107.

The intention of this reference is to refer the reader back to the “Reconsideration of Request,” segment of the Zoning Ordinance, which prior to the 1996 Zoning Ordinance overhaul, was 10-3-107. That section of the Code is now 10-3-121. Staff recommends simply updating this section by removing “10-3-107” and replacing it with the correct “10-3-121” reference.

Staff is proposing a third amendment within Article U; this modification falls within Section 10-3-123. Specifically, subsection (i) requires that proffers, approved during a rezoning, be recorded at the office of the Clerk of the Circuit Court within 30 days after approval by City Council. Section 10-3-123 (i) reads as follows:

- (i) *Recordation of proffered conditions.* A certified copy of all ordinances accepting proffered conditions, together with a duly signed copy of the proffer statement, shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court within thirty (30) days of council approval.

Subsection (i) was added in 2001 when staff recommended adding this requirement to the Zoning Ordinance contending that such requirement would help future property owners understand and acknowledge the zoning on their property. Although the intentions of this code were advantageous, the enforcement of this section was inconsistent and never became common practice. Staff believes this requirement is unnecessary and excessive. Staff recommends removing this subsection and requirement from the Zoning Ordinance.

Chairman Jones asked if there were any questions for staff.

Mr. Da'Mes said if an investor is looking to purchase a property, how would they know if that property had proffers on it?

Mr. Fletcher said there are two ways you could identify that there are proffers. First, if you are looking up the property in the real estate division, they would accurately reflect on the tax card what the current zoning is. If it has a "C" on it, obviously that means it has proffers. Then you could also do your investigating at Community Development; we have the proffers on file within our department.

Mr. Da'Mes said this is not recorded. You would have to come to the City to obtain this information.

Mr. Fletcher replied none of the zoning districts are recorded in a deeded format.

Mr. Baugh said within legal practice there has always been a fairly clear distinction between a title issue and a zoning issue. To a "lay person" you may think all that stuff runs together; but it really does not. In fact, at any real estate closing of any title you have had done, among the fine print is a representation by the attorneys that no representation is made as to matters of zoning. Zoning is an area where people are typically on their own to investigate.

Mr. Chenault said if you require this of conditional zoning it should be required of all zoning classifications. The first place developers are going to go is to Community Development to check out zoning.

Mr. Da'Mes asked how do you hold a new buyer accountable when they purchase property.

Mr. Baugh said there is really no way to know without doing some homework for yourself. That is a lot of what our City staff does on a day-to-day basis, and that is handle inquiries about things like this.

Mr. Da'Mes said he has another question regarding Section 10-3-25 and the landscaping of parking lots. The ordinance reads "parking spaces shall include well defined, well maintained landscaping areas equal to at least fifteen percent of the total area to be used for parking." I do not see that with the newer big box retailers, unless you are including buffer areas or surrounding areas. This ordinance says fifteen percent within the parking area and it does not appear it is being applied.

Mrs. Banks replied that it does not read fifteen percent within the parking area itself, keep reading the requirement and it further explains. It does not have to be interior to the parking lot; you are allowed to count the thirty foot perimeter around the parking lot towards meeting the fifteen percent requirement. Fifteen percent is very, very small. It is verified on all site plans.

Mr. Fletcher said there have been a few times staff has discussed updating this; but, there has not been any support for it.

Mr. Da'Mes said I would like to see a certain percentage of the asphalt area having to be landscaped and maintained.

Mr. Fletcher said there is an ordinance we have worked on that needs some tweaking; but, it could be brought before Planning Commission if you are interested.

Mr. Snell said he recalls being a member of the landscape committee when he first became a planning commissioner.

Mrs. Turner said I think you are referring to the committee that ended up being the park committee. That was a landscaping ordinance committee which decided it did not want to change the landscape ordinance, so they decided to focus on putting some green space into a park.

Mr. Baugh said this commission made a decision to complete certain sections of the zoning ordinance and then make the Comprehensive Plan a priority. We recognized that landscaping was something that needed to be looked at, but there were other issues ahead of it.

Mr. Snell asked how do we want to handle these proposed ordinance amendments.

Chairman Jones said first we need to hold a public hearing on the amendments. He then opened the public hearing and asked if there was anyone wishing to speak in favor of the request. Hearing none, he asked if there was anyone wishing to speak against the amendments. Hearing none, he closed the public hearing and asked for comments.

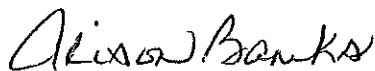
Mr. Snell moved to recommend approval of all seven of the proposed amendments.

Mr. Baugh seconded the motion.

Chairman Jones said there is a motion to recommend approval and a second. He then called for a voice vote.

All voted in favor of the motion. (5-0)

Respectfully Submitted,

A handwritten signature in cursive script that reads "Alison Banks".

Alison Banks
Planner

Draft

ORDINANCE AMENDMENTS

**Zoning Ordinance Sections
10-3-5, 10-3-16, 10-3-25,
10-3-48.3, 10-3-120,
10-3-122, 10-3-123**

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION 10-3-5

OF THE CODE OF ORDINANCES CITY OF HARRISONBURG, VIRGINIA

Be it ordained by the Council of the City of Harrisonburg, Virginia:

That Section 10-3-5 be amended as follows:

Section 10-3-5. Establishment of districts.

Amend subsection (a) as shown:

(a) For the purpose of this chapter the City of Harrisonburg is divided into districts as follows:

R-1	Single Family Residential District.
R-2	Residential District.
R-3	Multiple Dwelling Residential District.
R-4	Planned Unit Residential District.
R-5	Planned Single Family Residential District.
MH-1	Manufactured Home Park District.
MH-2	Manufactured Home Subdivision District.
B-1A	Local Business District.
B-1	Central Business District
B-2	General Business District
M-1	General Industrial District
I-1	Institutional Overlay District

<i>R-1</i>	<i>Single-Family Residential District.</i>
<i>R-2</i>	<i>Residential District.</i>
<i>R-3</i>	<i>Multiple Dwelling Residential District.</i>
<i>R-3</i>	<i>Medium Density Residential District.</i>
<i>R-4</i>	<i>Planned Unit Residential District.</i>
<i>R-5</i>	<i>High Density Residential District.</i>
<i>R-6</i>	<i>Low Density Mixed Residential Planned Community District.</i>
<i>R-7</i>	<i>Medium Density Mixed Residential Planned Community District</i>

Draft

<i>MX-U</i>	<i>Mixed Use Planned Community District</i>
<i>MH-1</i>	<i>Manufactured Home Park District.</i>
<i>MH-2</i>	<i>Manufactured Home Subdivision District.</i>
<i>B-1A</i>	<i>Local Business District.</i>
<i>B-1</i>	<i>Central Business District</i>
<i>B-2</i>	<i>General Business District</i>
<i>M-1</i>	<i>General Industrial District</i>
<i>I-1</i>	<i>Institutional Overlay District</i>
<i>U-R</i>	<i>Urban Residential District</i>
<i>R-P</i>	<i>Residential-Professional District</i>

The remainder of Section 10-3-5 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the ____ day of _____, 2010.
Adopted and approved this ____ day of _____, 2010.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION

10-3-16

OF THE

CODE OF ORDINANCES

CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-16 be amended as follows:

Section 10-3-16. Conditions for site plan review.

Amend subsection (e) as shown:

(e) An approved site plan shall expire and be null and void unless a building permit for the construction of the same substantial elements of the site plan has been issued within a period of ~~one year~~ *five years*.

The remainder of Sections 10-3-16 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the ____ day of _____, 2010.
Adopted and approved this ____ day of _____, 2010.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION
10-3-25

OF THE
CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-25 be amended as follows:

Section 10-3-25. Off-street parking regulations:

Amend subsection (3) as shown: *(insert two commas into first sentence—after
“buildings” and after “sites”)*

(3) Definition of “Landscaping for Parking Lots”: All parking lots for new buildings, other than industrial sites, requiring more than ten (10) parking spaces shall include well-defined and well maintained landscaped areas equal to at least fifteen (15) percent of the total area to be used for parking, maneuvering and driveways on site. Parking spaces shall be separated from all right-of-way lines and property lines by a landscaped border not less than ten (10) feet in width or appropriate visual elements such as walls or fencing, except along adjoining lot lines which lie within a shared parking arrangement approved by a special use permit allowing for a zero side yard setback. Landscaping interior to the parking area or within a thirty-foot perimeter of the parking area shall be permitted to count towards meeting the fifteen (15) percent requirement. It is required that hardy trees or shrubs which are regional species be planted or saved, and that all plantings and ground cover be either maintained or replaced.

The remainder of Section 10-3-25 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the ____ day of _____, 2010.
Adopted and approved this ____ day of _____, 2010.

MAYOR

Draft

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION

10-3-48.3

OF THE

CODE OF ORDINANCES

CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-48.3 be amended as follows:

Section 10-3-48.3. Uses permitted by right.

Amend subsection (10) as shown:

(10) Hospitals, convalescent or nursing homes, funeral homes, medical offices and professional offices as defined by article ~~F~~ *F*.

The remainder of Section 10-3-48.3 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2010.
Adopted and approved this _____ day of _____, 2010.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION

10-3-120

OF THE

CODE OF ORDINANCES

CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-120 be amended as follows:

Section 10-3-120. ~~Plan of development.~~ *Reserved.*

Remove and reserve this section.

~~Each request for amendment to this chapter, including the zoning map, shall be accompanied by a "plan of development" for the property included in the request, and shall have been reviewed by all applicable city officials before submission to the planning commission. If the application for rezoning is granted following the required public hearing procedure outline in section 10-3-105, the plan of development must be started within a period of two (2) years, and the proposed structure or structures, parking facilities, plantings and other landscaping must follow the plan of development introduced during the rezoning hearing. The planning commission will have a rehearing if the plan of development is not underway within two (2) years.~~

The remainder of Section 10-3-120 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2010.
Adopted and approved this _____ day of _____, 2010.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION
10-3-122

OF THE
CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-122 be amended as follows:

Section 10-3-122. Withdrawal of application.

Amend as shown:

Applications for a change in zoning may be withdrawn from consideration before the first notice of a public hearing thereon has been published and fees refunded if no publication cost is incurred. Application for a change in zoning which are withdrawn after the end of the public hearing shall be considered as denied for the purpose of one-year limitation or reconsideration as provided in section ~~10-3-107~~ 10-3-121.

The remainder of Section 10-3-122 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2010.
Adopted and approved this _____ day of _____, 2010.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

Draft

ORDINANCE AMENDING AND RE-ENACTING SECTION

10-3-123

OF THE

CODE OF ORDINANCES

CITY OF HARRISONBURG, VIRGINIA

Be it ordained by the Council of the City of Harrisonburg, Virginia:

That Section 10-3-123 be amended as follows:

Section 10-3-123. Conditional zoning.

Remove subsection (i):

~~(j) *Recordation of proffered conditions.* A certified copy of all ordinances accepting proffered conditions, together with a duly signed copy of the proffer statement, shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court within thirty (30) days of council approval.~~

The remainder of Section 10-3-123 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2010.
Adopted and approved this _____ day of _____, 2010.

MAYOR

ATTESTE:

CLERK OF THE COUNCIL

AGENDA ITEM ACTION REQUEST

	Meeting Date: April 13, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other Finance	Item: Consider supplemental appropriation to the school operating budget and the school nutrition budget.
Reviewed: <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Review: Consider this request for a supplemental appropriation to the schools operating budget and the school nutrition budget for \$92,975.00. These funds represent unanticipated receipts from local and federal sources. No additional local dollars are required from City Council for the school division to receive these funds.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	
April 13.25	Attachments: 1. Supplemental Appropriation form.

CITY OF HARRISONBURG, VIRGINIA
REQUEST FOR: SUPPLEMENTAL APPROPRIATIONS
For Fiscal Year Ended June 30, 2010

From:

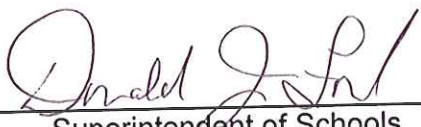
FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1111	33301	School Revenue - Federal	61,975.00
1114	31691	School Nutrition Revenue - Receipts	<u>31,000.00</u>
		Total	<u><u>92,975.00</u></u>

To:


FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1111	111114-40610	Instruction	37,816.00
	111114-40620	Administration, Attendance, and Health	4,000.00
	111114-40630	Transportation	500.00
	111114-40680	Technology	<u>19,659.00</u>
		School Operating Budget Subtotal	<u>61,975.00</u>
1114	111414-40650	School Nutrition Services	2,500.00
	111414-40680	Technology - School Nutrition Services	<u>28,500.00</u>
		School Nutrition Fund Subtotal	<u>31,000.00</u>
		Total	<u><u>92,975.00</u></u>

Reason: Consider this request for a supplemental appropriation to the schools operating fund and the school nutrition fund totaling \$92,975. These funds represent unanticipated receipts from local and federal sources.

No additional local dollars are required from City Council for the school division to receive these funds.

Requested by :  4/6/10
 Superintendent of Schools Date

Funds Available :  3/26/10
 Director of Finance Date

Recommended & Approved :  4/7/10
 City Manager Date

City Council Approval: _____
 (1st reading)

City Council Approval: _____
 (2nd reading)

FINANCE DEPARTMENT'S POSTING

NAME

DATE

JV #

AGENDA ITEM # 10

AGENDA ITEM ACTION REQUEST

	Meeting Date: April 13, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Item: Consider a street closing request from the Harrisonburg Education Foundation
Reviewed: <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	Review: H.E.F. requests a street closing along two lanes of Garbers Church Road to hold the Sherry B. Anderson memorial 5K run and walk. The event will take place between 9:00 am and 12:00 on Saturday, May 15, 2010. All appropriate City departments have signed off on the request.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	
April13.400	Attachments: 1. Street Closing Application Form



The City of Harrisonburg

Street Closing Form

This application is required for all parties requesting the closure of a public street for any scheduled event of a non-emergency nature. Any additional information supplemental to this form must be physically attached for staff review. Submit completed forms to Harrisonburg Downtown Renaissance, 212 South Main Street, Harrisonburg, VA 22801. INCOMPLETE FORMS WILL NOT BE CONSIDERED. Hand delivered copies must be submitted between the hours of 9:00 AM and 5:00 PM Monday through Friday, excluding any state or national holidays. Any street closure must be approved by City Council. This form must be submitted at least 45 calendar days prior to the scheduled event. A scoping meeting may be requested by City staff prior to Council approval.

In the event of a scheduling conflict, the applicant will be notified. Closings are approved on a first-come, first serve basis. The City will not approve more than one scheduled event on the same calendar day.

PART I

A. Organization Information	
State the name of the organization requesting closure: <u>HARRISONBURG EDUCATION FOUNDATION</u>	
Contact Name: <u>CRAIG MACKAIL</u>	Contact Phone Number: <u>540-434-9916</u>
Contact Address: <u>HQPS 317 S. MAIN ST. H'BURG, VA 22801</u>	
B. Event Planning Requirements	
State the name and planned date of the event: <u>SHERY BURCHMAN ANDERSON 5K WALK AND RUN MAY 15, 2010</u>	
Indicate what hours the event will occur: <u>8:00AM - NOON</u>	
List all streets that are requested for closure (attach list on additional sheet if all do not fit in the provided area): 1. <u>GARBERS CHURCH ROAD (2 LANES ONLY)</u>	
2. _____	
3. _____	
4. _____	
C. Proof of Insurance	
Attach a copy of proof that the organization has minimum liability coverage of \$1,000,000.	

STAFF USE ONLY

Fire Chief or designee Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/> Signature: <u>[Signature]</u> Date: <u>3-29-10</u>	Police Chief or designee Approved <input type="checkbox"/> Disapproved <input type="checkbox"/> Signature: <u>[Signature]</u> Date: <u>3-23-10</u>	Public Works Director or designee Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/> Signature: <u>[Signature]</u> Date: <u>3/23/10</u>	Downtown Parking Services Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/> Signature: <u>[Signature]</u> Date: <u>3-24-10</u>
--	---	---	---

PART II -- SUPPLEMENTAL/APPLICABLE INFORMATION - Please answer all applicable questions below. Attach additional pages if sufficient room is not provided below.

1. Will any temporary structures be built or installed in conjunction with the event? If so, please specify their location(s).	NO
2. Describe in detail or submit drawings of pennants and specify their location(s), if applicable.	N/A
3. Describe any entertainment or music, along with times, location and type of performance.	N/A
4. Is a parade planned in conjunction with this event? If so, please describe the parade along with any other sponsors that may be involved.	NO
5. List any vendors/street peddlers planned along with their proposed location(s).	NO
6. List any food sales in detail. ALL FOOD SALES ARE REGULATED BY THE VIRGINIA DEPARTMENT OF HEALTH. It is the responsibility of the applicant to receive VDH approval.	NO
7. Does the applicant request City forces to remove refuse and garbage in conjunction with this event? If not, please describe plan for removing refuse and garbage in detail.	NO
8. Are alcoholic beverages planned for public consumption? If so, list all vendors with location(s) and time(s) of sales. List all ABC license(s) presently held.	NO
9. Are fireworks planned? If so, please specify date, time, location and vendor(s).	NO
10. Are animals involved in any event? Please specify any and all types and roles.	PARTICIPANTS MAY WALK DOGS DURING EVENT
11. Are U.S. Flags requested on Main Street for event?	NO

Part III -- APPROVAL

I certify to the best of my knowledge that the above information is true and correct.

Applicant's Signature

3/22/10
Date

STAFF USE ONLY

I certify that this is a complete application prepared for City Council review.

Special Events Manager

4/5/10
Date

This event was approved/disapproved by City Council on the 9th of March, 2010

City Clerk

3-9-10
Date

Additional Comments:

Fire Chief or designee:

Police Chief or designee:

Public Works Director or designee:

Downtown Parking Services:

Kurt
Kris

SUBJECT:

STAFF AND HEF WORKING TOGETHER ON
SHERRY B. ANDERSON 5K WALK AND RUN
RACE

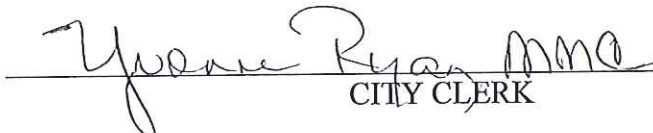
**EXTRACT TAKEN FROM MINUTES OF
CITY COUNCIL MEETING HELD ON:**

REGULAR MEETING
March 9, 2010

Council Member Byrd said that the Harrisonburg Education Foundation (HEF) has requested changing the date of the Sherry B. Anderson 5K Walk and Run Race from April 24, 2010 to May 15, 2010. A specific race route has not been established, but it is anticipated running on Garbers Church Road and utilizing areas of the high school. The start time for the race will be 9:00 a.m. This is a major fund raiser for the Harrisonburg Education Foundation. Council Member Byrd offered a motion directing staff to work with the Harrisonburg Education Foundation on changing the date and location of the Sherry B. Anderson 5K Walk and Run Walk Race. HEF first race course choice is the area of Harrisonburg High School on Garbers Church Road on May 15, 2010. The motion was seconded by Council Member Frank and approved with a unanimous voice vote.

I, Yvonne Ryan, MMC, Clerk of the Harrisonburg City Council, do hereby certify that the foregoing is a true copy of an excerpt taken from the draft minutes of a regular meeting held on Tuesday, March 9, 2010.

Given under my hand this 10th March 2010.


CITY CLERK

OFFICE OF CITY CLERK OF COUNCIL
HARRISONBURG, VA 22801

AGENDA ITEM ACTION REQUEST

	Meeting Date: April 13, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Item: Consider a street closing request from Rockingham Memorial Hospital
Reviewed: <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	Review: RMH requests a street closing to hold their Employee Gifts Campaign Celebration on May 26, 2010 between 1:30 pm -3:30 pm. The street closing will occur along S. Mason street between Grace St and the RMH pedestrian bridge connecting the hospital to the cancer center. Access to the emergency room and Maple Street parking lot will not be restricted. All appropriate City departments have signed off on the request.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	
April13.402	Attachments: 1. Street Closing Application Form



The City of Harrisonburg

Street Closing Form

This application is required for all parties requesting the closure of a public street for any scheduled event of a non-emergency nature. Any additional information supplemental to this form must be physically attached for staff review. Submit completed forms to Harrisonburg Downtown Renaissance, 212 South Main Street, Harrisonburg, VA 22801. INCOMPLETE FORMS WILL NOT BE CONSIDERED. Hand delivered copies must be submitted between the hours of 9:00 AM and 5:00 PM Monday through Friday, excluding any state or national holidays. Any street closure must be approved by City Council. This form must be submitted at least 45 calendar days prior to the scheduled event. A scoping meeting may be requested by City staff prior to Council approval.

In the event of a scheduling conflict, the applicant will be notified. Closings are approved on a first-come, first serve basis. The City will not approve more than one scheduled event on the same calendar day.

PART I

A. Organization Information

State the name of the organization requesting closure: **Rockingham Memorial Hospital**

Contact Name: **Cory Davies**

Contact Phone Number: **(540) 564-5932**

Contact Address: **RMH Foundation / 235 Cantrell Avenue / Harrisonburg, VA 22801**

B. Event Planning Requirements

State the name and planned date of the event: **RMH Employee Gifts Campaign Celebration / May 26, 2010**

Indicate what hours the event will occur: **1:30 – 3:30 p.m.**

List all streets that are requested for closure (attach list on additional sheet if needed):

1. South Mason Street between Grace Street and the bridge that connects the main hospital to the Cancer Center. We do not want to close off access to the Emergency Room or the Maple Parking Lot and we do not want to block East and West bound traffic on Grace Street. Please see the attached map. The highlighted part is all we would like to close.

C. Proof of Insurance

Attach a copy of proof that the organization has minimum liability coverage of \$1,000,000.

STAFF USE ONLY

Fire Chief or designee Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/> Signature: <i>[Signature]</i> Date: <u>4-6-10</u>	Police Chief or designee Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/> Signature: <i>[Signature]</i> Date: <u>4-5-10</u>	Public Works Director or designee Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/> Signature: <i>[Signature]</i> Date: <u>4/5/10</u>	Downtown Parking Services Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/> Signature: <i>[Signature]</i> Date: <u>4-2-10</u>
---	---	--	--

PART II – SUPPLEMENTAL/APPLICABLE INFORMATION – Please answer all applicable questions below. Attach additional pages if sufficient room is not provided below.

1. Will any temporary structures be built or installed in conjunction with the event? If so, please specify their location(s). There will not be any temporary structures built or installed.
2. Describe in detail or submit drawings of pennants and specify their location(s), if applicable. n/a
3. Describe any entertainment or music, along with times, location and type of performance. n/a
4. Is a parade planned in conjunction with this event? If so, please describe the parade along with any other sponsors that may be involved. There is no parade planned.
5. List any vendors/street peddlers planned along with their proposed location(s). n/a
6. List any food sales in detail. ALL FOOD SALES ARE REGULATED BY THE VIRGINIA DEPARTMENT OF HEALTH. It is the responsibility of the applicant to receive VDH approval. n/a
7. Does the applicant request City forces to remove refuse and garbage in conjunction with this event? If not, please describe plan for removing refuse and garbage in detail. No we do not request City forces. Hospital staff and volunteers will clean up after the event.
8. Are alcoholic beverages planned for public consumption? If so, list all vendors with location(s) and time(s) of sales. List all ABC license(s) presently held. There will be no alcohol at the event.
9. Are fireworks planned? If so, please specify date, time, location and vendor(s). There are no fireworks planned.
10. Are animals involved in any event? Please specify any and all types and roles. There are no animals involved.
11. Are U.S. Flags requested on Main Street for event? No.

Part III – APPROVAL

I certify to the best of my knowledge that the above information is true and correct.

Applicant's Signature

Date

STAFF USE ONLY

I certify that this is a complete application prepared for City Council review.

Special Events Manager

Date

This event was approved/disapproved by City Council on the _____ of _____.

City Clerk

Date

VIRGINIA SOLUTION SPC, Ltd.
On behalf of Segregated Portfolio A

P.O. Box 1109
Grand Cayman, Cayman Islands KY1-1102

CERTIFICATE OF INSURANCE

Date: March 18, 2010

THE CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS
UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER
THE COVERAGE AFFORDED BY THE POLICIES BELOW.

NAMED INSURED

- ☒ Rockingham Memorial Hospital and Subsidiaries per attached schedule
☐ Other:

Coverage	Limit of Liability
<input checked="" type="checkbox"/> Professional Liability	\$ 2,000,000 per medical incident
CLAIMS MADE	
Retroactive Date :	
<input checked="" type="checkbox"/> Commercial General Liability	\$ 2,000,000 per occurrence; \$ 50,000 damage to property of others \$ 2,000,000 personal & Advertising Injury \$ Unlimited general aggregate

Policy Number: VS200910-005

Policy Period: 6/1/09 to 6/1/10

The coverage effective dates, retroactive date and limited listed below have been issued notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance provided is subject to all the terms, exclusions and conditions of such policies.

Type of Coverage:

- ☒ Certificate Holder
☒ Additional Insured

RE RMH Employees Gifts Campaign Celebration to be held May 26, 2010

*Employees of the Insured are covered solely while acting within the scope of their employment with the
Named Insured (pursuant with employment contract)*

City of Harrisonburg
Kris Ludwig, Special Events Manager
212 South Main Street
Harrisonburg, VA 22801


Authorized Representative

HEALTH CARE ENTITY LIABILITY POLICY COVERAGE SUMMARY EXTENSION

EXTENDED LIST OF COVERED SUBSIDIARIES AND OTHER INSUREDS

Policy Holder: Rockingham Memorial Hospital

The following list of subsidiaries and other insureds are covered under this policy subject to the retroactive dates shown. If no retroactive date appears, the retroactive date applicable shall be that retroactive date appearing on the Coverage Summary for the Policyholder.

Named Insured	Professional Liability Coverage Part (Coverages A and B)	General Liability Coverage Part (Coverages C & D)
	Retroactive Date	Retroactive Date
Rockingham Healthcare, Inc.	01/09/1975	01/01/2005
Rockingham Memorial Hospital	01/09/1975	01/01/2005
Rockingham Health Services, Inc.	01/09/1975	01/01/2005
RMH Wellness Center	03/31/1997	01/01/2005
Shenandoah Shared Hospital Services, Inc.	08/01/1985	08/01/1985

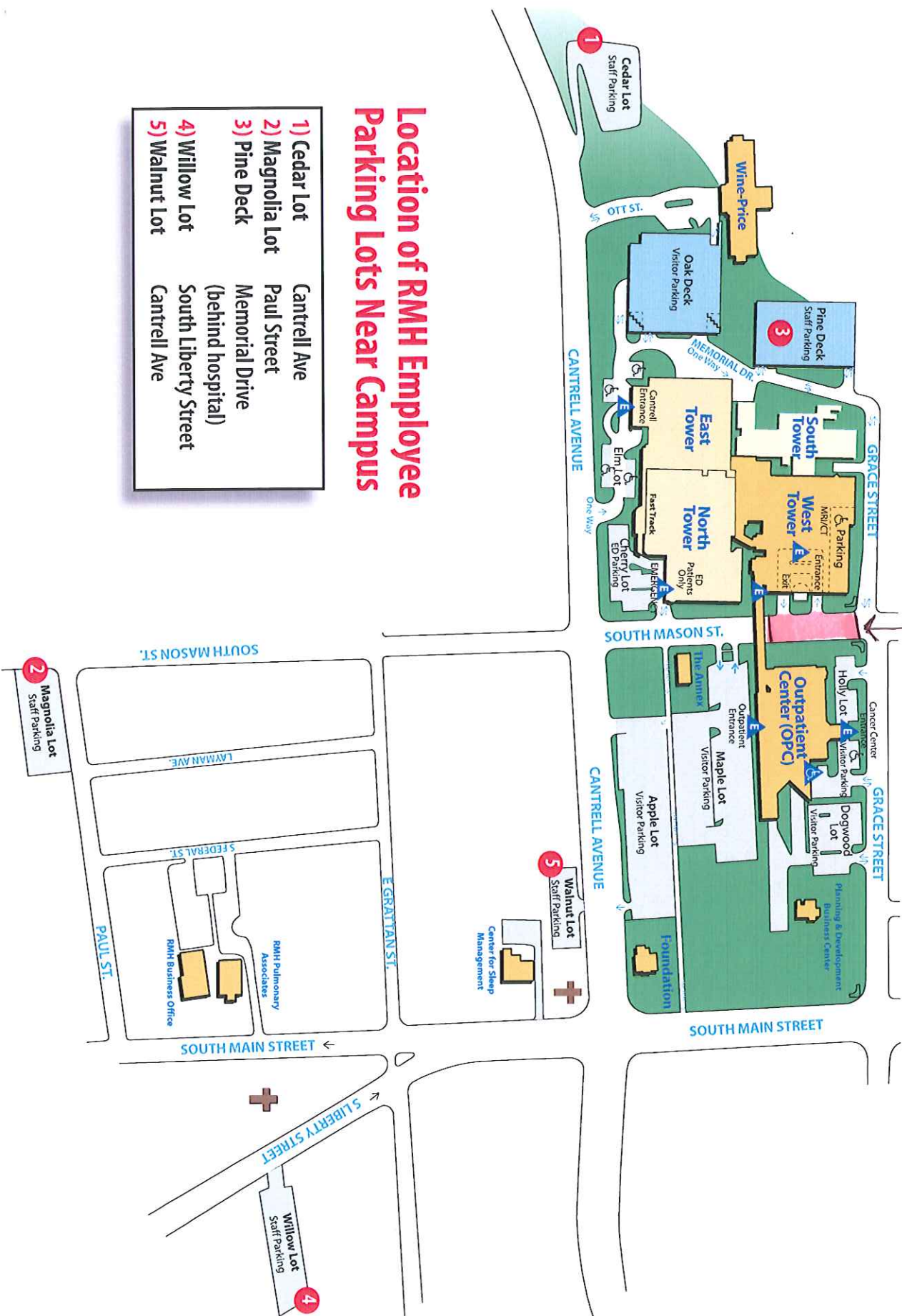
The following names are business trade names of Rockingham Memorial Hospital.

- RMH Center for Behavioral Health
- RMH Valley Behavioral Medicine
- RMH East Rockingham Health Center
- RMH Center for Corporate Health
- RMH Pulmonary Associates
- RMH Mt. Jackson Health Clinic
- RMH Pharmacy
- RMH Regional Cancer Center
- RMH Image Recovery Center
- RMH Home Health
- RMH Hospice
- RMH Womens Health Focus
- RMH Rehab
- RMH Family Medicine – retroactive date 9/1/2007
- RMH Urology – retroactive date 9/1/2007
- RMH Neurology – retroactive date 1/1/2007
- RMH Rheumatology – retroactive date 10/1/2007
- RMH Durable Medical Equipment – retroactive date 9/1/2003
- RMH Infectious Disease – retroactive date 7/1/2006
- RMH Breast Care – retroactive date 6/1/2008
- Harrisonburg Surgical Associates – retroactive date 4/1/2008
- Valley Orthopedics & Sports Medicine – retroactive date 9/1/2007
- RMH New Market Health Center – retroactive date 8/1/2009

Portion of S. Mason St. we are requesting to close

Location of RMH Employee Parking Lots Near Campus

- 1) Cedar Lot Cantrell Ave
- 2) Magnolia Lot Paul Street
- 3) Pine Deck Memorial Drive
(behind hospital)
- 4) Willow Lot South Liberty Street
- 5) Walnut Lot Cantrell Ave



Additional Comments:

Fire Chief or designee:

must maintain ~~an~~ unobstructed 20' emergency
vehicle access lane.

Police Chief or designee:

Public Works Director or designee:

Downtown Parking Services:

AGENDA ITEM # 12

AGENDA ITEM ACTION REQUEST

	Meeting Date: April 13, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Item: Consider a street closing request from Shenandoah Valley TEA Party
Reviewed: <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	Review: The Shenandoah Valley TEA Party requests a street closing along E. Market Street between S. Liberty and N. Main Street for a planned event on April 15, 2010 between 5:15 pm and 7:30 pm. The TEA party has obtained permission through Rockingham County to utilize the grounds surrounding the Court House. The City of Harrisonburg has not previously approved public street closings for political events, rallies or gatherings.
Recommend: YES: <input type="checkbox"/> NO: <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	
April13.401	Attachments: 1. Street Closing Application Form



The City of Harrisonburg

Street Closing Form

This application is required for all parties requesting the closure of a public street for any scheduled event of a non-emergency nature. Any additional information supplemental to this form must be physically attached for staff review. Submit completed forms to Harrisonburg Downtown Renaissance, 212 South Main Street, Harrisonburg, VA 22801. INCOMPLETE FORMS WILL NOT BE CONSIDERED. Hand delivered copies must be submitted between the hours of 9:00 AM and 5:00 PM Monday through Friday, excluding any state or national holidays. Any street closure must be approved by City Council. This form must be submitted at least 45 calendar days prior to the scheduled event. A scoping meeting may be requested by City staff prior to Council approval.

In the event of a scheduling conflict, the applicant will be notified. Closings are approved on a first-come, first serve basis. The City will not approve more than one scheduled event on the same calendar day.

PART I

A. Organization Information

State the name of the organization requesting closure: Shenandoah Valley Tea Party

Contact Name: BRUCE RICHMOND Contact Phone Number: 540.942.9422

Contact Address: 70 WINDSOR DRIVE FISHERS VILL2 VA-22939

B. Event Planning Requirements

State the name and planned date of the event: APRIL 15th Tea Party

Indicate what hours the event will occur: 5:15 - 730

List all streets that are requested for closure (attach list on additional sheet if all do not fit in the provided area): 1. Court Square from W Market St to S. Main St.

2. _____

3. _____

4. _____

C. Proof of Insurance

Attach a copy of proof that the organization has minimum liability coverage of \$1,000,000.

STAFF USE ONLY

Fire Chief or designee	Police Chief or designee	Public Works Director or designee	Downtown Parking Services
Approved <input checked="" type="checkbox"/>	Approved <input checked="" type="checkbox"/>	Approved <input checked="" type="checkbox"/> <u>with note</u>	Approved <input checked="" type="checkbox"/>
Disapproved <input type="checkbox"/>	Disapproved <input type="checkbox"/>	Disapproved <input type="checkbox"/>	Disapproved <input type="checkbox"/>
Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>
Date: <u>4-15-10</u>	Date: <u>4-15-10</u>	Date: <u>4-15-10</u>	Date: <u>4-1-10</u>

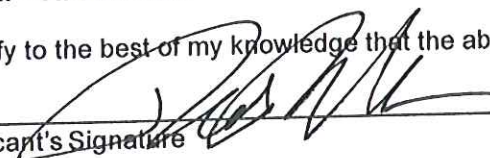
→ See Comment Sheet

PART II – SUPPLEMENTAL/APPLICABLE INFORMATION – Please answer all applicable questions below. Attach additional pages if sufficient room is not provided below.

1. Will any temporary structures be built or installed in conjunction with the event? If so, please specify their location(s).	Two Pop up tents on South side of Court Square
2. Describe in detail or submit drawings of pennants and specify their location(s), if applicable.	American Flag and Gadsden Flag.
3. Describe any entertainment or music, along with times, location and type of performance.	Sound System playing Light music for 20 min
4. Is a parade planned in conjunction with this event? If so, please describe the parade along with any other sponsors that may be involved.	None
5. List any vendors/street peddlers planned along with their proposed location(s).	NONE
6. List any food sales in detail. ALL FOOD SALES ARE REGULATED BY THE VIRGINIA DEPARTMENT OF HEALTH. It is the responsibility of the applicant to receive VDH approval.	None - Local RESTAURANTS will be advised of event
7. Does the applicant request City forces to remove refuse and garbage in conjunction with this event? If not, please describe plan for removing refuse and garbage in detail.	No - We will clean up afterward
8. Are alcoholic beverages planned for public consumption? If so, list all vendors with location(s) and time(s) of sales. List all ABC license(s) presently held.	NONE
9. Are fireworks planned? If so, please specify date, time, location and vendor(s).	None
10. Are animals involved in any event? Please specify any and all types and roles.	No
11. Are U.S. Flags requested on Main Street for event?	No

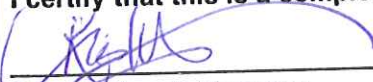
Part III – APPROVAL

I certify to the best of my knowledge that the above information is true and correct.

Applicant's Signature  Date 3/24/2010

STAFF USE ONLY

I certify that this is a complete application prepared for City Council review.

 Date 3/31/10
Special Events Manager

This event was approved/disapproved by City Council on the _____ of _____.

City Clerk _____ Date _____

CERTIFICATE OF INSURANCE

03/04/2010

PRODUCER

American Specialty Insurance & Risk Services, Inc.
142 North Main Street
Roanoke, Indiana 46783

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND, OR ALTER THE COVERAGE AFFORDED BY THE POLICY BELOW.

INSURED

American Specialty Sports and Entertainment Purchasing Group
142 North Main Street
Roanoke, IN 46783

INSURERS AFFORDING COVERAGE

INS. A: AXIS Insurance Company

INS. B:

INS. C:

SHENANDOAH TEA PARTY PATRIOTS

70 WINDSOR DRIVE
FISHERSVILLE, VA Va

CERT NUMBER: 1000863405

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOT WITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS EXCLUSIONS AND CONDITION OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS LTR	POLICY TYPE	POLICY NUMBER	POLICY EFFECTIVE	POLICY EXPIRATION	LIMITS
A	GL	AXGL01101428-10	04/10/2010 12:01 a.m.	04/20/2010 12:01 a.m.	General Aggregate
					3,000,000
					Products-Completed Operations Aggregate
					1,000,000
					Personal and Advertising Injury
					1,000,000
					Each Occurrence
					1,000,000
					Damage to Premises Rented to You (Any One Premises)
					300,000
					Medical Expense Limit (Any One Person)
					5,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

Evidence of coverage as respects to the APRIL 15 TAX DAY TEA PARTY on April 15, 2010.

Coverage for the above Named Insured is provided via Purchasing Group Certificate of Insurance Number AXPG102585.

CERTIFICATE HOLDER

SHENANDOAH TEA PARTY PATRIOTS
70 WINDSOR DRIVE
FISHERSVILLE, VA 22939

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Commonwealth of Virginia



STATE CORPORATION COMMISSION

Richmond, July 28, 2009

This is to certify that the certificate of incorporation of

Shenandoah Valley Tea Party Patriots, Inc.

was this day issued and admitted to record in this office and that the said corporation is authorized to transact its business subject to all Virginia laws applicable to the corporation and its business. Effective date: July 28, 2009



State Corporation Commission

Attest:

Joel H. Beck
Clerk of the Commission

Additional Comments:

Fire Chief or designee:

must provide 20' unobstructed emergency vehicle access

Police Chief or designee:

Public Works Director or designee:

Public Works has no resources for traffic control, signs, barricades.

ALL street closures must meet state standards for street closing - signs barricades.

Please provide sketch for traffic control plans.

Downtown Parking Services:

Please confirm → are we still approving street closures? If for this rally, why not for other events & races? I would suggest the park next to

the Farmers Market instead of Ct. Square - much more open & available

04/01/2010

CERT NUMBER: 1000868230

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF INSURANCE

03/04/2010

PRODUCER

American Specialty Insurance & Risk Services, Inc.
142 North Main Street
Roanoke, Indiana 46783

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION
ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE
HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND, OR
ALTER THE COVERAGE AFFORDED BY THE POLICY BELOW.

INSURED

American Specialty Sports and Entertainment Purchasing Group
142 North Main Street
Roanoke, IN 46783

INSURERS AFFORDING COVERAGE

INS. A: AXIS Insurance Company

INS. 6:

INS. C:

SHENANDOAH TEA PARTY PATRIOTS
70 WINDSOR DRIVE
FISHERSVILLE, VA Va

CERT NUMBER: 1000863405

COVERAGES

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOT WITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITION OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

[illegible]

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS	
---	--

- Evidence of coverage as respects to the APRIL 15 TAX DAY TEA PARTY on April 15, 2010.

CERTIFICATE HOLDER

SHENANDOAH TEA PARTY PATRIOTS
70 WINDSOR DRIVE
FISHERSVILLE, VA 22039

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

AGENDA ITEM # 13

AGENDA ITEM ACTION REQUEST

	Meeting Date: April 13, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input checked="" type="checkbox"/> Other	Item: Consider a street closing request from Harrisonburg Farmers Market
Reviewed: <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	Review: The Harrisonburg Farmers Market requests the closing of a paved public alley located south of the Turner Pavilion. The closing would take place each Saturday during the market season between 7:00 am and 1:00 pm. The alley is currently open to west bound traffic between Main St and S. Liberty St.
Recommend: YES: <input type="checkbox"/> NO: <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other	
April 13.403	Attachments: 1. Street Closing Application Form



The City of Harrisonburg

Street Closing Form

This application is required for all parties requesting the closure of a public street for any scheduled event of a non-emergency nature. Any additional information supplemental to this form must be physically attached for staff review. Submit completed forms to Harrisonburg Downtown Renaissance, 212 South Main Street, Harrisonburg, VA 22801. **INCOMPLETE FORMS WILL NOT BE CONSIDERED.** Hand delivered copies must be submitted between the hours of 9:00 AM and 5:00 PM Monday through Friday, excluding any state or national holidays. Any street closure must be approved by City Council. This form must be submitted at least **45 calendar days** prior to the scheduled event. A scoping meeting may be requested by City staff prior to Council approval.

In the event of a scheduling conflict, the applicant will be notified. Closings are approved on a first-come, first serve basis. The City will not approve more than one scheduled event on the same calendar day.

PART I

A. Organization Information

State the name of the organization requesting closure: HARRISONBURG FARMERS MARKET
Contact Name: Josie Showalter Contact Phone Number: (404) 474-3377
Contact Address: P.O. Box 469 Harrisonburg VA 22803

B. Event Planning Requirements

State the name and planned date of the event: Farmers Market May - October Saturdays

Indicate what hours the event will occur: 7 am to 1 pm

List all streets that are requested for closure (attach list on additional sheet if all do not fit in the provided area): 1. _____

2. Alleyway between the Turner Pavilion and

3. the grassy area just South of the Pavilion

4. _____

C. Proof of Insurance

Attach a copy of proof that the organization has minimum liability coverage of \$1,000,000.

I verify that the above information is correct to the best of my knowledge.

Josie A. Showalter
Signature

3/24/2010
Date

STAFF USE ONLY

Fire Chief or designee Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/> Signature: <u>[Signature]</u> Date: <u>[Date]</u>	Police Chief or designee Approved <input type="checkbox"/> Disapproved <input type="checkbox"/> Signature: <u>[Signature]</u> Date: <u>4/5/10</u>	Public Works Director or designee Approved <input checked="" type="checkbox"/> <u>see note</u> Disapproved <input type="checkbox"/> Signature: <u>[Signature]</u> Date: <u>[Date]</u>	Downtown Parking Services Approved <input checked="" type="checkbox"/> Disapproved <input type="checkbox"/> Signature: <u>[Signature]</u> Date: <u>4/1/10</u>
---	--	--	--

PART II - SUPPLEMENTAL/APPLICABLE INFORMATION - Please answer all applicable questions below. Attach additional pages if sufficient room is not provided below.

1. Will any temporary structures be built or installed in conjunction with the event? If so, please specify their location(s).	no
2. Describe in detail or submit drawings of pennants and specify their location(s), if applicable.	n/a
3. Describe any entertainment or music, along with times, location and type of performance.	music confirmed 2nd and 4th Saturdays
4. Is a parade planned in conjunction with this event? If so, please describe the parade along with any other sponsors that may be involved.	n/a
5. List any vendors/street peddlers planned along with their proposed location(s).	overflow vendors - Farmers Market
6. List any food sales in detail. ALL FOOD SALES ARE REGULATED BY THE VIRGINIA DEPARTMENT OF HEALTH. It is the responsibility of the applicant to receive VDH approval.	n/a / same as in Paurlim
7. Does the applicant request City forces to remove refuse and garbage in conjunction with this event? If not, please describe plan for removing refuse and garbage in detail.	n/a
8. Are alcoholic beverages planned for public consumption? If so, list all vendors with location(s) and time(s) of sales. List all ABC license(s) presently held.	no
9. Are fireworks planned? If so, please specify date, time, location and vendor(s).	no
10. Are animals involved in any event? Please specify any and all types and roles.	no
11. Are U.S. Flags requested on Main Street for event?	no

III. APPROVAL

I certify to the best of my knowledge that the above information is true and correct.

Gosia A. Shumaker 3/24/2010
Applicant's Signature Date

I certify that this is a complete application prepared for City Council review.

[Signature] 3/26/10
Special Events Manager Date

This event was approved/disapproved by City Council on the ____ of ____.

City Clerk Date

ACORD**CERTIFICATE OF LIABILITY INSURANCE**DATE (MM/DD/YYYY)
03/29/2010

PRODUCER

BB&T Shomo & Lineweaver
328 S. Main Street
PO Box 929
Harrisonburg, VA 22801

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

NAIC #

INSURED

Harrisonburg Farmers Market Association
P.O. Box 669
Harrisonburg, VA 22803

INSURER A: Cincinnati Insurance Company

10677

INSURER B:

INSURER C:

INSURER D:

INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	CAP5839904	06/21/2008	06/21/2011	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		EXCESS / UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE \$ RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input checked="" type="checkbox"/> Y/N If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS OTH-ER \$ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
		OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

CERTIFICATE HOLDER

City of Harrisonburg
South Main Street
Harrisonburg, VA 22801

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE




Additional Comments:

Fire Chief or designee:

Emergency vehicle access to south side of municipal Bldg.
must be maintained

Police Chief or designee:

Public Works Director or designee:

Access to parking lots around City Hall must remain open; Barrels
must meet City standards and applicant must supply barrels at their
expense. Public Works will not be supplying cones, barrels or staff
resources for this closure. 

Downtown Parking Services:

AGENDA ITEM ACTION REQUEST

	Meeting Date: April 13, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other:	Item: Presentation and update for Technical Energy & Water Savings Audit
Reviewed: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other	Review: City and Linc Services staff will be providing an overview of the Technical Energy & Water Savings Audit performed by Linc Services.
Recommend: YES: <input type="checkbox"/> NO: <input type="checkbox"/> <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Department <input type="checkbox"/> Other Public Works	
April 13.555	Attachments: 1. Staff Summary 2. Recommended Project Cost Savings

Staff Summary of Linc Services Technical Energy & Water Savings Audit Report

The Technical Energy and Audit Report has been completed by Linc Services and distributed to department heads and staff members who oversee the operations of the Municipal Building (MB), Public Safety Building (PS), Public Works Building (PW), and Community Activities Center (CAC). The audit report was also reviewed by Mr. Charlie Barksdale of the VA Department of Mines, Minerals & Energy. City staff and Linc Services met with Mr. Barksdale on March 16, 2010 to discuss the audit report. Modifications to the audit report, based on comments received from Mr. Barksdale, are currently being made.

The Technical Energy & Water Savings Audit Report identifies a variety of energy savings opportunities within the aforementioned City facilities. The proposed program would reduce the City's utility consumption by more than 46% at these facilities. Conservation measures detailed in the Audit Report include:

- City-wide lighting upgrades
- City-wide water conservation measures
- New heating and cooling systems (PS, CAC & MB)
- Redesignated Heating and Cooling System (PS, MB)
- New Solar domestic hot water (PS, CAC, PW)
- New and Upgraded Facility Controls (PS, CAC, MB, PW)
- New Windows (MB)

The City has several options to complete the improvements identified in the audit report:

1. Enter into an Energy Performance Contract (EPC) with Linc Services to implement approximately \$2.6 million in energy conservation measures described in the audit report. This option would require the issuance of additional city general fund debt. The EPC would guarantee that financial savings identified in the audit report would be available to offset annual repayment of debt associated with the \$2.6 million in improvements.
2. Utilize the energy audit's identified conservation measures and complete improvements in house either comprehensively or over a period of time.
3. Utilize the available \$172,200 remaining in the Energy Efficiency Block Grant to provide one time improvement(s) to a specific project and complete the remaining identified conservation when financial resources are available.

ANSWERS TO COUNCIL QUESTIONS

1. *Which Virginia localities have completed or are currently implementing an Energy Performance Contract?* Some Virginia localities that VA DMME provided in a list are: City of Virginia Beach, Spotsylvania County, Stafford County, Prince William County, Shenandoah County Schools, Roanoke County, Montgomery County, Frederick County, Albemarle County Schools, Chesapeake City Schools, and City of Fredericksburg. Harrisonburg city staff has had positive discussions about EPCs with City of Charlottesville, Chesterfield County Schools, and has received written comments from Waynesboro City Schools, the latter of which has worked with Linc Services.
2. *How will the Public Utilities Department's revenue be impacted by water and sewer savings measures proposed for the four buildings?* There would be approximately \$1,000 in reduced water sales and sewer at the four (4) municipal buildings as a result of the proposed improvements.
3. *How will the transfer of funds the Harrisonburg Electric Commission (HEC) gives to the City each year be affected?* Thanh Dang, Public Works Planner, discussed with Mr. Mike York, HEC General Manager, and Mr. York stated that the transfer will not be impacted at all.

SUPPLEMENTS

- *Full Technical Energy & Water Savings Audit Report*– Hardcopies were delivered to city staff and electronic copies are available to anyone upon request, please contact Thanh Dang, Public Works Department.
- *Draft Energy Performance Contract Agreement* – Available upon request, please contact Thanh Dang, Public Works Department.

d. Recommended Project Cost Savings

Location	Measure	Energy Savings (MMBtu/yr)	Energy Savings (kWh/yr)	Water Savings (kGal/yr)	Rate for Analysis	Energy Cost Savings (\$/yr) (calculated)
City Wide	ECM-1: New/Upgraded Energy Management System	965			Varies	\$20,336
City Wide	ECM-2: Vendmiser					
Municipal Building	ECM-1: Lighting Upgrade		65,076		\$ 0.091	\$5,922
Municipal Building	ECM-2: Re-commissioning	70	15,772		Varies	\$2,916
Municipal Building	ECM-3: HVAC Upgrade	69	(91,300)	144	Varies	(\$5,902)
Municipal Building	ECM-4: Tankless Domestic Hot Water System	(7)	2,129		Varies	\$37
Municipal Building	ECM-5: Water Conservation	6		14	Varies	\$219
Municipal Building	ECM-6: New Energy Efficient Windows					
Public Safety	ECM-1: Lighting Upgrade		197,058		\$ 0.092	\$18,129
Public Safety	ECM-2: Demand Controlled Ventilation	58	2,767		Varies	\$1,648
Public Safety	ECM-3: Re-commissioning	84	85,670		Varies	\$9,901
Public Safety	ECM-4: Replace Older Boiler with High Efficiency Boiler	504			\$ 24.03	\$12,111
Public Safety	ECM-5: Central Plant Modifications		86,286		\$ 0.092	\$7,938
Public Safety	ECM-6: Solar Water Heating	17			\$ 24.03	\$418
Public Safety	ECM-7: HVAC Upgrade		595,962		Varies	\$54,829
Public Safety	ECM-8: Water Conservation	7		21	Varies	\$285
Public Safety	ECM-9: Cooling Tower Replacement		36,551		\$ 0.092	\$3,363
Public Safety	ECM-10: Water Side Economizer		160,149		\$ 0.092	\$14,734
Community Center	ECM-1: Lighting Upgrade		164,374		\$ 0.089	\$14,629
Community Center	ECM-2: Demand Controlled Ventilation		75,662		\$ 0.089	\$6,734
Community Center	ECM-3: Re-commissioning	154	17,370		Varies	\$4,621
Community Center	ECM-4: Solar Water Heating		24,503		\$ 0.089	\$2,181
Community Center	ECM-5: HVAC Upgrade		54,083		\$ 0.089	\$4,813
Community Center	ECM-6: Water Conservation		2,769	38		\$356
Community Center	ECM-7: Replacement of Doors in Locker Room Area and addition of Vestibule Outside Employee Entrance					
Community Center	ECM-8: New Front Load Washer and Dryer					
Public Works	ECM-1: Lighting Upgrade		38,113		\$ 0.092	\$3,506
Public Works	ECM-2: Re-commissioning	13	5,289		Varies	\$821
Public Works	ECM-3: Solar Water Heating		12,305		\$ 0.092	\$1,132
Public Works	ECM-4: Water Conservation		487	4		\$50
	TOTAL	1,443	1,551,975	221		\$ 18,972



AGENDA ITEM ACTION REQUEST

	Meeting Date: April 13, 2010 Meeting Type: Regular <input checked="" type="checkbox"/> Special <input type="checkbox"/>
Requestor: <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other: Finance	Item: Consider appropriation of funds to the General and Water Capital Projects Funds – First Reading.
Reviewed: <input checked="" type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other Finance	Review: There are currently funds in the General and Water Capital Projects Funds that have not been budgeted. These amounts include interest earnings, recovered costs, and VDOT revenue sharing funds. Approval of the request will increase the FY 2009-10 budget by \$1,301,160.56.
Recommend: YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/> <input type="checkbox"/> Manager <input type="checkbox"/> City Attorney <input checked="" type="checkbox"/> Department <input type="checkbox"/> Other Finance	
April13.777	Attachments: 1. Supplemental Appropriation form

CITY OF HARRISONBURG, VIRGINIA
REQUEST FOR: SUPPLEMENTAL APPROPRIATIONS
For Fiscal Year Ended June 30, 2010

From:

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1310	31010	Amount from fund balance	1,192.17
1310	31513	Investment earnings (23.74 + 3,459.60)	3,483.34
		Sub total	4,675.51
1310	31914	Recovered cost (8,162 + 66,267+4,585)	79,014.00
1310	32527	DEQ Grant (Rain Barrel Work shop)	0.04
1310	32544	VDOT Revenue Sharing	1,215,371.01
		Total General Capital Projects Fund	1,299,060.56
1321	31513	Investments earnings	2,100.00
		Grand Total	1,301,160.56

To:

FUND	CODE	ACCOUNT DESCRIPTION	AMOUNT
1310	910141-48636	Erickson Avenue/Stone Spring Road	6,473.52
1310	910141-48699	Peach Grove Park-A Dream Come True	701.99
1310	910141-48724	HRHA 6.4 M Project-21.141 Bonds	(2,500.00)
		Sub Total	4,675.51
1310	910141-48610	2 Way Communications system	79,014.00
1310	910141-48616	City wide Drainage Program	0.04
1310	910141-48636	Erickson Avenue/Stone Spring Road	1,215,371.01
		Total General Capital Projects Fund	1,299,060.56
1321	910161-48654	Eastern Source Development	2,100.00
		Grand Total	1,301,160.56

Reason: To appropriate capital projects funds that have been received but not budgeted.

Requested by :

Head of Department

Date

Funds Available :

Director of Finance

Date

Recommended & Approved :

City Manager

Date

City Council Approval:

(1st reading)

City Council Approval:

(2nd reading)

FINANCE DEPARTMENT'S POSTING

C:\Excel\Forms\Budget\Budget forms Bonnie.XLS

DATE

JV #